



# STADIUM EVENTS 1948

March	28 - (Sun.) - Easter Sunrise Service
April	1 - (Thurs.)
"	2 - (Fri.)
"	3 - (Sat.)
"	4 - (Sun.)
"	5 - (Mon.)
"	6 - (Tues.)
"	7 - (Wed.)
"	8 - (Thurs.)
"	9 - (Fri.)
"	10 - (Sat.) - Orioles - Brooklyn - 3 p.m.
"	11 - (Sun.) - Orioles - Brooklyn - 3 p.m.
"	12 - (Mon.) - Orioles - Brooklyn - 3 p.m.
"	13 - (Tues.)
"	14 - (Weds.)
"	15 - (Thurs.) - Orioles - Red Sox - 3 p.m.
"	16 - (Fri.) - Orioles - Phila. - 3 p.m.
"	17 - (Sat.)
"	18 - (Sun.) - Orioles - Washington - 3 p.m.
"	19 - (Mon.)
"	20 - (Tues.)
"	21 - (Weds.)
"	22 - (Thurs.) - Buffalo
"	23 - (Fri.) - "
"	24 - (Sat.) - "
"	25 - (Sun.) - Toronto (2)
"	26 - (Mon.) - "
"	27 - (Tues.) - "
"	28 - (Weds.) - Montreal
"	29 - (Thurs.) - "
"	30 - (Fri.) - "
May	1 - (Sat.) - Religious Demonstration (Day) -
"	2 - (Sun.) - Rochester (Night)
"	3 - (Mon.) - "
"	4 - (Tues.)
"	5 - (Wed.)
"	6 - (Thurs.)
"	7 - (Fri.)
"	8 - (Sat.)
"	9 - (Sun.)
"	10 - (Mon.)
"	11 - (Tues.)
"	12 - (Weds.)
"	13 - (Thurs.)
"	14 - (Fri.)
"	15 - (Sat.)
"	16 - (Sun.)
"	17 - (Mon.) - Montreal



May (Cont'd)

May	18	- (Tues.)	- Montreal	
"	19	- (Wed.)	- "	
"	20	- (Thurs.)		
"	21	- (Fri.)		
"	22	- (Sat.)		
"	23	- (Sun.)		
"	24	- (Mon.)		
"	25	- (Tues.)		
"	26	- (Wed.)		
"	27	- (Thurs.)		
"	28	- (Fri.)		
"	29	- (Sat.)	- Syracuse	
"	30	- (Sun.)	- "	(2)
"	31	- (Mon.)	- "	

June	1	- (Tues.)	- Newark	
"	2	- (Wed.)	- "	
"	3	- (Thurs.)	- "	
"	4	- (Fri.)	- Jersey City	
"	5	- (Sat.)	- " "	
"	6	- (Sun.)	- " "	(2)
"	7	- (Mon.)		
"	8	- (Tues.)		
"	9	- (Wed.)		
"	10	- (Thurs.)		
"	11	- (Fri.)	- Buffalo	
"	12	- (Sat.)	- "	
"	13	- (Sun.)	- "	(2)
"	14	- (Mon.)	- Rochester	
"	15	- (Tues.)	- "	
"	16	- (Wed.)	- "	
"	17	- (Thurs.)	- Toronto	
"	18	- (Fri.)	- "	
"	19	- (Sat.)	- "	
"	20	- (Sun.)	- "	(2)
"	21	- (Mon.)		
"	22	- (Tues.)		
"	23	- (Wed.)		
"	24	- (Thurs.)		
"	25	- (Fri.)		
"	26	- (Sat.)		
"	27	- (Sun.)		
"	28	- (Mon.)		
"	29	- (Tues.)		
"	30	- (Wed.)		

July	1	- (Thurs.)	
"	2	- (Fri.)	
"	3	- (Sat.)	
"	4	- (Sun.)	- Fireworks Display - (Night)
"	5	- (Mon.)	

July (Cont'd)

July	6	- (Tues.)	
"	7	- (Wed.)	
"	8	- (Thurs.)	- Newark
"	9	- (Fri.)	- "
"	10	- (Sat.)	- "
"	11	- (Sun.)	- " (2)
"	12	- (Mon.)	- Jersey City
"	13	- (Tues.)	- " "
"	14	- (Wed.)	- " "
"	15	- (Thurs.)	- " "
"	16	- (Fri.)	- Syracuse
"	17	- (Sat.)	- "
"	18	- (Sun.)	- " (2)
"	19	- (Mon.)	
"	20	- (Tues.)	
"	21	- (Wed.)	
"	22	- (Thurs.)	
"	23	- (Fri.)	
"	24	- (Sat.)	
"	25	- (Sun.)	
"	26	- (Mon.)	- Buffalo
"	27	- (Tues.)	- "
"	28	- (Wed.)	- "
"	29	- (Thurs.)	- Montreal
"	30	- (Fri.)	- "
"	31	- (Sat.)	- "

August	1	- (Sun.)	- Montreal (2)
"	2	- (Mon.)	
"	3	- (Tues.)	
"	4	- (Wed.)	
"	5	- (Thurs.)	
"	6	- (Fri.)	
"	7	- (Sat.)	
"	8	- (Sun.)	
"	9	- (Mon.)	
"	10	- (Tues.)	
"	11	- (Wed.)	
"	12	- (Thurs.)	
"	13	- (Fri.)	
"	14	- (Sat.)	
"	15	- (Sun.)	
"	16	- (Mon.)	
"	17	- (Tues.)	
"	18	- (Wed.)	
"	19	- (Thurs.)	- Newark
"	20	- (Fri.)	- "
"	21	- (Sat.)	- "
"	22	- (Sun.)	- Toronto (2)
"	23	- (Mon.)	- "
"	24	- (Tues.)	- "



# August (Cont'd)

August	25	- (Wed.)	- Toronto	
"	26	- (Thurs.)	- Rochester	
"	27	- (Fri.)	- "	
"	28	- (Sat.)	- "	
"	29	- (Sun.)	- "	(2)
"	30	- (Mon.)		
"	31	- (Tues.)		

September	1	- (Wed.)		
"	2	- (Thurs.)		
"	3	- (Fri.)		
"	4	- (Sat.)		
"	5	- (Sun.)	Colts vs. New York (Day)	
"	6	- (Mon.)	Drum Corps Contest-Orioles vs. Syracuse	
"	7	- (Tues.)	- Syracuse	
"	8	- (Wed.)	- "	
"	9	- (Thurs.)	- Jersey City	
"	10	- (Fri.)	- " "	
"	11	- (Sat.)	- " "	
"	12	- (Sun.)	- " " (2)	
"	13	- (Mon.)		
"	14	- (Tues.)		
"	15	- (Wed.)		
"	16	- (Thurs.)		
"	17	- (Fri.)	Forest Park-Patterson (8:00 p.m.)	
"	18	- (Sat.)	Southern-Poly	
"	19	- (Sun.)	Variety Club-Pro-Football Exhibition (Day)	
"	20	- (Mon.)		
"	21	- (Tues.)		
"	22	- (Wed.)		
"	23	- (Thurs.)		
"	24	- (Fri.)	Forest Park-Southern (8:00 p.m.)	
"	25	- (Sat.)	Navy vs U.S. California (Day)	
"	26	- (Sun.)	Colts vs Brooklyn (Day)	
"	27	- (Mon.)		
"	28	- (Tues.)		
"	29	- (Wed.)		
"	30	- (Thurs.)		

October	1	- (Fri.)	Patterson-Poly (8:00 p.m.) Forest Park-Calvert Hall (3:30)
"	2	- (Sat.)	Navy vs Cornell (Day) Southern-City (8:00 p.m.)
"	3	- (Sun.)	Colts vs Cleveland (Day)
"	4	- (Mon.)	
"	5	- (Tues.)	
"	6	- (Wed.)	
"	7	- (Thurs.)	

# October (Cont'd)

October	8	- (Fri.)	- Southern-Patterson (8:00 p.m.)
"	9	- (Sat.)	- Forest Park-Mt. St. Joe (8:00 p.m.)
"	10	- (Sun.)	- Colts vs. San Francisco (Day)
"	11	- (Mon.)	
"	12	- (Tues.)	
"	13	- (Wed.)	
"	14	- (Thurs.)	
"	15	- (Fri.)	- Patterson-City (8:00 p.m.) Poly-Loyola (3:15 p.m.)
"	16	- (Sat.)	- Navy vs Missouri (Day) Southern-Hagerstown (8:00 p.m.)
"	17	- (Sun.)	
"	18	- (Mon.)	
"	19	- (Tues.)	
"	20	- (Wed.)	
"	21	- (Thurs.)	
"	22	- (Fri.)	- Forest Park-Poly (8:00 p.m.)
"	23	- (Sat.)	- Patterson-Eastern, Wash. D.C. (8:00 p.m.)
"	24	- (Sun.)	
"	25	- (Mon.)	
"	26	- (Tues.)	
"	27	- (Wed.)	
"	28	- (Thurs.)	
"	29	- (Fri.)	- Forest Park vs St. Paul (8:00 p.m.)
"	30	- (Sat.)	- Navy vs Notre Dame (Day) Patterson-Mt. St. Joe (8:00 p.m.)
"	31	- (Sun.)	

November	1	- (Mon.)	
"	2	- (Tues.)	
"	3	- (Wed.)	
"	4	- (Thurs.)	
"	5	- (Fri.)	- Forest Park-City (Night) 8:00 p.m.
"	6	- (Sat.)	- Southern-Loyola (8:00 p.m.)
"	7	- (Sun.)	- Mt. St. Joe-Calvert Hall (Night)
"	8	- (Mon.)	
"	9	- (Tues.)	
"	10	- (Wed.)	
"	11	- (Thurs.)	
"	12	- (Fri.)	- Loyola-Mt. St. Joe (8:00 p.m.)
"	13	- (Sat.)	- Southern High vs Calvert Hall 8:00 p.m.
"	14	- (Sun.)	- Colts vs Chicago (Day)
"	15	- (Mon.)	
"	16	- (Tues.)	
"	17	- (Wed.)	
"	18	- (Thurs.)	
"	19	- (Fri.)	- Boys Town-Mt. St. Joe (8:00 p.m.)
"	20	- (Sat.)	
"	21	- (Sun.)	- Colts vs Los Angeles (Day)
"	22	- (Mon.)	



November (Cont'd)

November	23	- (Tues.)	
"	24	- (Wed.)	
"	25	- (Thurs.)	City-Poly (2:30 P.M.) Loyola-Calvert Hall (10 a. m.)
"	26	- (Fri.)	
"	27	- (Sat.)	
"	28	- (Sun.)	
"	29	- (Mon.)	
"	30	- (Tues.)	

December	5	- (Sun.) - Colts vs Buffalo
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## CITY SOLICITOR'S OFFICE

January 7, 1948

Mr. William B. Henkel  
Claim Manager

IN RE: SUIT OF FREDERICK E. GREEN, ET AL  
VS. MAYOR & CITY COUNCIL, ET AL

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Dear Mr. Henkel:

In our discussion of the defence of the above entitled suit held in the office of Mr. Biddison on January 6, 1948, it occurred to me that valuable use could be made of the favorable testimony by persons living within a four block area of the perimeter of the Stadium. Because of the peculiar position in which the City of Baltimore finds itself, wherein we are named a party defendant representing the interest of all of the citizens of Baltimore and yet at the same time not wishing to impair the interest of that portion of the tax payers of Baltimore that complain that they have been adversely affected by the use of the Stadium by the Baltimore Baseball and Exhibition Company, it would probably be wise to have the latter named corporation obtain the following suggested information. All of the favorable reports of persons living within a four block area of the perimeter of the Stadium should be plotted on a 200 foot map and these persons interviewed for the purpose of determining their value as witnesses both from the standpoint of personal appearance and general impression upon the court as well as the sincerity of their statement that the use of the Stadium by the Orioles has not caused them any inconveniences or affected the value of their property. The names of people so disposed can be obtained from the Sports Department of the Baltimore News Post as well as the files of the Orioles, but I would strongly urge that all persons so listed should be personally interviewed by representatives of the Orioles to determine their present attitude and also to verify the fact that the information is legitimate. This information, if properly developed and presented, in my opinion would go a long way to ~~refute~~ the ~~contention~~ of the plaintiffs in this case that an irreparable harm is being done them personally and financially by this use of the Stadium.

I would also recommend the preparation of two maps showing the developed area within a six block radius of the Stadium, the first of which would be that in existence in 1922, the year in which the Stadium was built and the second showing a year by year development which could be graphically presented by showing the successive years in contrasting colors and different types of hatching. This without question will indicate that most of the developed area in the vicinity of the Stadium has taken place since the construction of this Stadium.

Very truly yours,



EDWARD P. ROTH  
Assistant Claim Manager

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## CITY SOLICITOR'S OFFICE

January 7, 1948

Mr. Edwin Harlan  
Deputy City Solicitor

In Re: Frederick E. Green, et al vs. Robert Garrett, et al

Dear Mr. Harlan:

In conformity with your request for information relative to the Bill of Complaint filed in the above-entitled case with regard to whether the Complainants are taxpayers as alleged and how long each of them have resided in their present homes, an examination was made of the original papers and exhibits filed in Docket 56A, folio 721, Case No. 29205-A in the Circuit Court No. 2 of Baltimore City, which discloses the names and addresses of the Plaintiffs on a separate sheet marked "Exhibit No. 15" under the heading "Legend". Appended to this Exhibit No. 15 was a Baltimore City, Department of Public Works, Bureau of Plans and Surveys, Plat No. 3 N - 1 E, on which plat was marked in red crayon the location of the homes of the named Plaintiffs with numbers corresponding to those shown on the Legend. In addition thereto, there was outlined on this plat in red crayon the Baltimore City College and Eastern High School, which names also appeared on the paper giving the names and addresses of the various Plaintiffs. Attached hereto you will find an exact copy of both the Legend and the plat filed as Exhibit No. 15.

The Complainants' Exhibits No. 1 to 14 inclusive are the leases, assignments and deeds in the names of the various Plaintiffs. Receipted tax bills for the year 1947 are attached to all of these exhibits, with the exception of Exhibit No. 6, which has a cancelled check in the amount of \$205.62 made payable to the City Collector of Baltimore in lieu of the receipted tax bill. The following is an abstract of each of the exhibits covering the properties owned by the various Plaintiffs, together with the title reference:

Exhibit No. 1: Deed dated August 23, 1943 to Frederick E. Green and Minnie C. Green, his wife, from Elsie M. Thompson for property 1200 East Thirty-third Street, Liber M.L.F. 6495, folio 558.

Exhibit No. 2: Assignment to William D. Gentry and Mary R. Gentry, his wife, from A. Norman Gallagher, et al, dated May 15, 1929 for property 1106 East Thirty-sixth Street, Liber S.C.L. 5003, folio 157.

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Mr. Edwin Harlan

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Exhibit No. 3: Deed dated November 17, 1942 to Lee E. Staples and Grace H. Staples, his wife, from George P. Vickers for property 920 East Thirty-sixth Street, Liber M.L.P. 6394, folio 38.

Exhibit No. 4: Deed dated October 6, 1938 to Chester W. Vandusen and Stella P. Vandusen, his wife, from Jacob S. Baer and wife, for property 3612 Roxmere Road, Liber M.L.P. 5861, folio 339; also assignment dated July 17, 1930 to same people from the E. J. Gallagher Realty Co. for same property, Liber S.C.L. 5139, folio 395.

Exhibit No. 5: Assignment dated March 28, 1944 to Harry Y. Wright and Mildred Wright, his wife, from Joseph W. Johnson and wife for property 1318 Lakeside Avenue, Liber M.L.P. 6577, folio 554; also deed dated March 28, 1944 from Herman Goldstein and Harry Gibson, trustees, for property 1318 Lakeside Avenue, Liber M.L.P. 6577, folio 555.

Exhibit No. 6: Deed dated August 31, 1937 to Wilfred G. Gosnell and Anna M. Gosnell, his wife, from Selby V. McCosland and wife for property 3621 Kimble Road, Liber S.C.L. 5754, folio 251; also assignment to same property dated October 1, 1943 from St. Mary's Female Orphan Asylum of Baltimore City, Inc., Liber M.L.P. 6512, folio 495.

Exhibit No. 7: Assignment dated June 4, 1938 to Z. Vance Hooper and Annie W. Hooper, his wife, from Sophia Duerr for property 3534 Ellersly Avenue, Liber M.L.P. 5828, folio 447; also deed dated January 6, 1943 from George E. Summers, widower, to Hooper and wife, Liber M.L.P. 6412, folio 102.

Exhibit No. 8: Deed dated December 14, 1938 to Henry G. Spates and Helene Spates, his wife, from the Property Sales Co., Inc. for property 1319 Windemere Avenue (no title reference attached).

Exhibit No. 9: Assignment dated October 7, 1939 to J. Willis Guyton and Sue M. Guyton from the E. J. Gallagher Realty Co. for property 1207 East Thirty-sixth Street, Liber 5965, folio 365; also deed to same property dated April 17, 1946 to J. Willis Guyton and wife from the Safe Deposit Trust Co., et al, Liber M.L.P. 6906, folio 431.



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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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Exhibit No. 10: Deed dated July 8, 1946 to Charles H. Whitby and Katherine M. Whitby, his wife, from the Fidelity Trust Co., substituted trustee, for property 1305 Windemere Avenue; Liber M.L.P. 6959, folio 47; also an assignment dated June 1, 1938 to Charles H. Whitby, III from the Property Sales Co., Inc. for same property, Liber M.L.P. 5827, folio 354.

Exhibit No. 11: Deed dated September 14, 1927 to Walter K. Harrison and Mabel B. Harrison, his wife, from the Rochester Home Building Co. for property 750 East Thirty-sixth Street, Liber S.C.L. 4796, folio 199; also deed dated October 13, 1947 for same property, Liber M.L.P. 4239, folio 392.

Exhibit No. 12: Deed dated September 6, 1945 to Leo J. Streb and Margaret Streb, his wife, from Roland Y. Mills et al for property 1204 Lakeside Avenue, Liber M.L.P. 6793, folio 128; also a deed dated June 28, 1938 to Leo J. Streb and Margaret Streb, his wife, from the Property Sales Co., Inc. for same property, Liber M.L.P. 5835, folio 355.

Exhibit No. 13: Deed dated February 26, 1924 to Marie Louisa Hayen, Jennie Sophie Hayen and Marion Hayen from the E. J. Gallagher Co., et al, for property 3308 Ellersly Avenue, Liber S.C.L. 4152, folio 494.

Exhibit No. 14: Lease of property 726 East Thirty-third Street from Harry Imwold, et al, to Frederick Thomas and Helen E. Thomas, his wife, dated September 5, 1922, Liber S.C.L. 3904, folio 197.

Exhibit No. 16 is a copy of the Agreement dated April 2, 1947 by and between the Board of Park Commissioners, Head of the Department of Public Parks and Squares of the Mayor and City Council of Baltimore, party of the first part, and the Baltimore Baseball and Exhibition Company, a duly authorized Maryland corporation, party of the second part.

I checked with Mr. John L. Feehley, Chief Clerk of the Board of Supervisors of Elections, Room 25 of the Court House, who will be the proper person to subpoena into court, if required, to testify in this case, to obtain the certified citywide results of the vote for each of the seventeen questions

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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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January 7, 1948

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that were voted on in the Mayoralty Election of May 6, 1947. Each of these questions voted on were for loans, with the exception of the first question and that question left up to the voters the right to have the Police Commissioner appointed by the Governor of Maryland or by contra by the Mayor of the City of Baltimore.

Attached hereto are three copies of the Specimen Ballot with the amount of votes for and against each of these questions, which figures were checked for correctness by Mr. Feehley. The following is a chart form of the questions, the type of loan and the final vote both for and against the same:

<u>Question Number</u>	<u>Type of Loan</u>	<u>Votes For</u>	<u>Votes Against</u>
1	Appointment of Police Comm. (a) By Governor (b) By Mayor	55,979 24,723	
2	School Building Loan	108,234	21,043
3	School Equipment Loan	104,339	21,530
4	Airport Loan	46,320	34,920
5	Building Loan	20,928	52,254
6	City Jail Loan	23,043	51,363
7	Court House Loan	19,966	51,868
8	Harbor Loan	31,243	45,703
9	Library Loan	59,767	36,008
10	Park Building Loan	23,733	49,592
11	People's Court Loan	20,410	50,469
12	Recreation Loan	64,985	26,806
13	Redevelopment Loan	33,974	37,049
14	Sewer and Drain Loan	57,727	26,081

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<u>Question Number</u>	<u>Type of Loan</u>	<u>Votes For</u>	<u>Votes Against</u>
15	Stadium Loan	53,205	45,414
16	Paving and Bridge Loan	37,088	42,840
17	Off-Street Parking Loan	49,491	32,379

3 It occurred to me while obtaining this information from Mr. Feehley that it might be advisable to obtain the results of the voting in the various precincts in the Ninth Ward, including and surrounding the Stadium property. There is attached hereto an exhibit marked "Map of 9th Ward, Baltimore City", to which I have stapled a legend of the results of the votes precinct by precinct. A breakdown of the vote on Question No. 15, which was the Stadium Loan, in the Ninth Ward is as follows:

<u>Precinct Number</u>	<u>For Stadium Loan</u>	<u>Against Stadium Loan</u>
1	144	168
2	156	119
3	216	647
4	148	178
5	102	191
6	109	132
7	179	120
25	113	206
26	156	297

No attempt was made to include all of the precincts in the Ninth Ward, because of the remoteness of the precincts from the Stadium property.

4 Attached hereto, as requested, are two copies of the "Baltimore Municipal Journal" of December 8, 1922, which covers the opening of the Baltimore Stadium. On Page 2 there is a picture of the Baltimore Stadium taken from the air.

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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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In order to ascertain from the records of the Police Department with regard to the number of complaints and arrests in and about the Stadium, both by way of traffic violations, disorderly conduct, nuisances, etc., and with regard to police regulations having to do with enforcement of traffic laws, parking signs, illegal parking, etc., I communicated with Mr. George J. Brennan, Secretary to the Police Commissioner, who informed me that the best way to obtain most of the information which I desired would be to contact Capt. Henry C. Kaste of the Traffic Division of the Police Department and Capt. Oscar Koch of the Northeastern District Police, in whose bailiwick the Stadium and the property adjacent thereto is located.

I interviewed Capt. Henry C. Kaste of the Traffic Division on the morning of Wednesday, January 7, 1948 and after I had identified myself and told the purpose of my visit, he at first was very reluctant to give me any information as he did not want to be drawn into the Stadium trouble, indicating that it was in the nature of a "hot potato" and further stated that he did not desire to be quoted or to testify because he knew of no violations of his own personal knowledge, but only knew of the violations and complaints from the general information that came to him as a result of his position.

He did say, however, that the Police Department, and by that he meant his own office and also the Northeastern Police Station, have had complaints from the people in the vicinity of the Stadium with regard to having their garages blocked by automobiles that were parked in the alley in front of them, but he could not possibly say exactly how many complaints were received, but did say that these complaints were, in his own words, "quite frequent". He stated that when these complaints were received by his Department or through the Northeastern Police Station, that a radio car was dispatched to these locations and the automobiles were tagged. He stated that these complaints were received mostly when there were exceptionally large baseball or football games. He also stated that to the best of his knowledge these complaints were received both during the playing of the larger daytime and nighttime games.

He informed me that as Captain of the Traffic Division it is his duty to arrange for the number of police that directed the traffic in the vicinity of the Stadium, the placing of "No Parking" signs on the various streets adjacent to the Stadium and all traffic regulations regarding the manner in which various automobiles were directed to and from the Stadium and into the Stadium parking lots.

He stated that as a result of the complaints that had been received over the years from people in the vicinity about automobiles illegally parked during the time that the larger games were going on and blocking the entrances to the garages in the alley rears of these properties, he had his men post



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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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"No Parking" signs on standards in these alleys and to the best of his recollection these signs were placed only in the alleys in the rear of Thirty-third Street, Lakeside Avenue and Windemere Avenue from Ednor Avenue to Hillen Road. He also stated that at some of the games a motorcycle patrolman was detailed in the vicinity of the Stadium, whose duty it was to patrol the alleys and tag the automobiles for illegal parking. He further stated that the footmen who directed the traffic did not patrol the alleys for violations, but only directed traffic before and after the larger games.

Capt. Kaste stated that the primary duty of these officers was to direct traffic and that they did not patrol the side streets or alleys. He stated that the men that he assigned to this work as traffic policemen varied from eight traffic officers to fifty or sixty and that all depended on the nature and size and importance of the game that was to be played, either football or baseball. He stated that during the daytime when baseball games were played there would be as few as eight police officers directing traffic, whereas in some of the more important football games they had as many as sixty traffic officers on duty. He stated that the traffic officers only directed traffic on the outside of the Stadium itself and on the streets in the immediate vicinity of the Stadium. He did say that they would have some traffic officers stationed on the parking grounds on either side of the Stadium to direct automobiles into the proper lanes for parking purposes. He also informed me that his men posted the "No Parking" signs on various streets and that these "No Parking" signs prohibited parking on Sundays after 1 P.M. and on the nights that baseball or football games were to be played after 6 P.M.

He further stated that no parking was permitted on game days on either Thirty-third Street, Thirty-sixth Street, Ellerslie Avenue or Ednor Road. It depended upon the size of the game played at the Stadium as to how far in an east or west direction Thirty-third Street was posted for "No Parking". In the smaller games the "No Parking" signs would be posted from Alameda to Westerwald; in the medium sized or more important games they would be posted from the Hillen Road to the York Road and in some instances as far as Charles Street. He stated that during the larger attended games Lakeside Avenue, Windemere Avenue, Venable Avenue, Thirty-fourth Street, Thirty-fifth Street and Melvale Avenue were posted for "No Parking" on one side of the street only.

Capt. Kaste told me that he would not attempt to give nor venture to guess the number of traffic violations with regard to illegal parking, etc. that occurred during the time that these games were being played, because there is no possible manner of ascertaining an accurate figure for the reason that there are no daily records kept of the location of such violations. He stated that the only daily records that pass through his hands are totals of the numbers of violations in the various categories, such as parking, speeding, etc. These records cover the entire city, district by district, and do not have the exact

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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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location of the violation nor the names of the persons apprehended. It is for that reason the actual number of violations for illegal parking in this particular vicinity are not ascertainable.

On Friday, January 9, 1948, Lt. August K. Gribbin of the Northeastern District of the Baltimore City Police Department, whose home address is 8 Madeline Avenue, Overlea, Baltimore-6, Maryland, came into this office and gave me the following information with regard to the records for the Northeastern District of the Baltimore Police Department, and from his own observations as Lieutenant in charge during the nine years that he has been a Lieutenant in the Northeastern District, of the activities in and adjacent to the Stadium grounds. Lt. Gribbin has been a member of the Baltimore City Police Department for twenty-seven years, having been appointed a Police Lieutenant nine years ago and immediately assigned to the Northeastern District, where he has served ever since.

Lt. Gribbin informed me that he has been regularly assigned to supervise the City Police at all football games and the majority of baseball games played both during the day and night since he first came into the District, and since the Orioles started to occupy the Stadium in 1944. He informed me that the men assigned to him were never used to direct traffic to and from the Stadium on the dates that the games were played, as that detail was left to the Traffic Division of the Police Department.

He stated that at all of the large football games, that is Army, Navy and Notre Dame football games, he was given a detail of ten men from each of the eight Police Districts, or a total of eighty men, to maintain order in and about the Stadium. On the days and nights that the Baltimore Orioles played or the football games in which the Baltimore Colts were involved, he was given a detail of five men from each of the eight Districts, or a total of forty men, for the same purpose. On the dates that high school football games were played, he was given a total of twenty-four men, or three men from each of the eight Districts. He further stated that most other events were covered by a detail of five men from each of the eight Districts, except the annual Sunrise Services, which were held very early in the morning and the policing of which was taken care of by officers of the Northeastern District alone, without any detail of men from the other Districts.

In the Army, Navy and Notre Dame football games, the eighty men under Lt. Gribbin's supervision were assigned to the following locations: certain patrolmen covered all the ticket boxes, others were assigned to each of the gates leading into the Stadium and inbetween the gates there would be officers stationed for the purpose of preventing fence jumping. Officers were stationed along the front pavement and the front lawn of the Thirty-third Street entrance

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## CITY SOLICITOR'S OFFICE

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to maintain order and also to prevent fence jumping. A detail of police officers were posted on the inside of the playing field so that they patrolled all sides of the playing field and in front of the horseshoe at the north end. He stated that none of the men detailed to him patrolled the immediate vicinity that is off of the Stadium grounds proper. This area was patrolled by the regular Northeastern District radio car patrol, which consisted of one radio car for the area north of Thirty-third Street and another radio car for the area south of Thirty-third Street.

Lt. Gribbin informed me that since he had been on active duty in this District from the year 1940, complaints were always received from some of the residents in the vicinity of the Stadium at all of the big football games, that is Army, Navy and Notre Dame games, and that these complaints invariably were made by residents whose garage entrances were blocked by illegal parking in those alleys. He also stated that they had received almost annually complaints from both the Baltimore City College and the Eastern High School authorities about illegal parking on the lawns in front of these institutions and that these complaints were made almost annually up until this year. Those complaints were only received when the games drew such a large crowd that the parking lots were not adequate and parking therefore over-spilled into the immediate neighborhood. He said that the same thing applied when the Baltimore Orioles began playing ball in the Stadium in 1944, and it was also true in some of the games played by the Baltimore Colts.

Lt. Gribbin stated that the complaints received with regard to illegal parking were mostly confined to certain alleys and they are as follows: Alleys between Ednor and Hillen Roads in the rear of Thirty-third Street, Lakeside Avenue, Windemere Avenue and Thirty-fifth Street, the lawn of the Eastern High School and Baltimore City College, 700 and 800 blocks of Belle Terre Avenue, which is between Frisby and Ellerslie Avenues (at this point he stated that one of the most chronic complainants was Clay Jewell, attorney and former Asst. State's Att.), and the alley south of Melville Avenue between Frisby and Ellerslie Avenue. Lt. Gribbin stated that the complaint relative to the last alley was received for the first time in 1947. Outside of these particular locations there were little or no other complaints from the residents with regard to illegal parking. He added that as a result of these complaints of illegal parking over a period of years, in order to stop this illegal parking the Northeastern District Police, working out of the Belair Road Sub-station or Annex, were instructed and assigned to place cardboard, "No Parking", signs at each end and through the alleys and the street from which the complaints were emanating. Lt. Gribbin did not personally go out to see if the alleys were posted before all of these larger games, but stated that he does know that they were posted and can give the names of the officers who posted them from time to time. Further, he knew they had been posted because he had been told that some of the signs that had been posted by the officers at various times in the complained of alleys and



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streets were either torn down or torn in half. Lt. Gribbin is to furnish the names of these officers who will testify to this and their names will be attached to this report later.

Lt. Gribbin is, at the present time, having the records searched to determine exactly how many arrests were made as a result of complaints of illegal parking in the alleys and streets nearby and at the proper time will give me the names of the officers who made the arrests or issued a summons in each of the particular cases. Complaints of illegal parking were received whether the games were played during the day or night, but only when the games were of sufficient size to over-spill the parking facilities at the Stadium.

The Lieutenant stated that there were two other types of complaints that were received by him at the Stadium as a result of them being transmitted from the Northeastern Police Station, and they were: (1) neighbors complaining of the excessive noise created by the cheering and the loud talking over the amplifying system, and (2) walking on and tramping down of the lawns of the residences in the adjacent neighborhood.

With regard to the first of these two complaints, that is the noise caused by cheering and the amplifying system, the Lieutenant stated that complaints received were uniform in that they were received in both the day and night games in the larger Army, Navy, Notre Dame, Colts and high school football games and baseball games. He stated that complaints of noise became more frequent after the Orioles began to occupy the Stadium and gave as the reason the fact that the amplifying system was more extensively used after the Orioles, and subsequently the Colts, began playing at the Stadium. He also stated that after both the Orioles and Colts began using the Stadium more complaints were received during the playing of the Naval Academy games than had been formerly registered against them prior to the time that the Stadium facilities were afforded to the Orioles and Colts. Lt. Gribbin further stated that these complaints were generally made by people in the immediate neighborhood and that they were called into the Northeastern Police, who, in turn, would radio for the Lieutenant to call the station and when he was told of the complaint that was registered because of the noise made by the amplifying system, he, on each occasion, would contact the Stadium representative, who in most cases was either Mr. Charles Kuhnert or Mr. Thomas Guckert, Assistant Managers, and advise them of the complaint with the request that it be corrected if possible. In each instance the Lieutenant further stated, this requested was generally complied with and the amplifying system was toned down. Lt. Gribbin stated that the complaints having to do with noise caused by the amplifying system were spasmodic in that the complaints were not made in all of the baseball or football games, but were only received in the larger football games and the larger attended baseball games and, as a matter of fact, were received on most all of the dates that the high school games were played.

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Lt. Gribbin stated that there were no permanent records kept of the number of complaints received of noise made by the amplifying system, but estimates the amount of complaints received on the days and nights that such complaints were received to average from two to five at the most. He states that never to his recollection were there as many as ten complaints in any one day or night, and he reiterated that they were not received on the dates that every football or baseball game was played, but were only sporadic. He further stated that there would be periods almost as long as two weeks without a complaint of any kind being received from anyone in the neighborhood.

With regard to the second of these two types of complaints that were received by the Police Department, that is the walking on and tramping down of lawns of the residences in the adjacent neighborhood, Lt. Gribbin stated that the only complaints ever received by him through the same medium, that is received by the Northeastern District and transmitted to him at the Stadium, were received only on the days or nights that the local high schools football games were being played. To his own knowledge and recollection, he knows of no instance of a complaint coming to him with regard to the tramping of lawns or destruction of property on any of the days or nights that the larger football or baseball games were played. He also stated that as far as he could recall these complaints were received on the dates that the five or six high school games were played. The Lieutenant stated that in every instance where a complaint of this nature was received, a radio car was dispatched to the home of the complainant and the police officer responding to the complaint in most instances, on interviewing the complainant, found that no actual damage had been done to the lawns or shrubbery, but was told that the complaints had been made because the high school students were cavorting on the lawns and properties and that the residents were afraid that they would damage the shrubbery or trample down the lawns. Lt. Gribbin stated that to his own personal knowledge, no complaints were received of any types of nuisances other than the above-stated ones, and further that the Northeastern Police District dockets do not disclose any record of arrests as a result of any complaint of a nuisance that was complained of, other than on the Stadium grounds.

5  
With regard to arrests that were made on the Stadium grounds or in the Stadium proper, attached hereto is the complete record of the docket entries of the Northeastern District of arrests made during the playing of the Oriole baseball games from August 5, 1944 to September 28, 1947. Each one of these arrests were made, according to Lieutenant Gribbin, for violating Park Board Rules Nos. 18 (Disorderly conduct in public parks), Rule No. 20 (Having liquor in possession in public parks), Rule No. 21 (Drunk in public parks) and Rule No. 27 (Climbing fences in public parks). The total number of arrests disclosed by these docket entries total and all these arrests were made



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inside of the Stadium proper, with the exception of one arrest and that arrest was made on the pavement on the outside of the Stadium on July 26, 1946 at 11:30 P.M. when an M. C. Baker was arrested for protesting the arrest of two other men who had been removed from the Stadium and were being taken outside for the purpose of being taken to the Station House. All of the arrests are captioned on the attached list "Arrests Made At Stadium--Baseball Games", as all of them occurred during the playing of baseball games.

Also attached hereto is a list of the number of arrests that were made in the Stadium proper during the playing of football games for the 1947 season. They consist of seven cases and were also taken from the docket entries of the Northeastern Police District. This attached list is captioned "Arrests Made At Stadium--Football Games". Lt. Gribbin stated that an examination of their dockets disclose that these are the only records of arrests made during the playing of football games that could be found in the Stadium from 1944 to date.

I understand from Lt. Gribbin that in addition to the Baltimore City Traffic Police, the Northeastern District Police and the Baltimore City Park Police, there were some detectives assigned to these games from the Detective Headquarters to apprehend pick-pockets, but exactly how many he could not state.

The records of arrests made at the baseball and football games which were furnished to me by Lt. Gribbin were written on '95 Sheets' and were taken from the Police Docket records at the Northeastern Police Station and are written in Lt. Gribbin's handwriting and in some instances by Officers Vincent Giardina and Joseph McHugh, both of whom examined these dockets and made the notations in their own handwriting under the direction and in the presence of Lt. Gribbin. He states that if the actual dockets are subpoenaed, it would be a large undertaking to get all of the dockets into court, as there are quite a large number of them.

Later on Friday, January 9, 1948, after I had interviewed Lt. Gribbin of the Baltimore Police Department and after having dictation the information taken from Lt. Gribbin, and having previously contacted Capt. Gordon Gaeng of the Baltimore City Park Police requesting the assembly of the data which was needed, together with the men who could testify from their records, etc., I interviewed Park Police Lieutenants Millard J. Livingston and John A. Urspruch for the purpose of ascertaining the number of complaints, number of arrests and the general conduct of patrons at the various games conducted at the Stadium.

Lt. Livingston, whose home address is 5504 Hamlet Avenue and who operates from Park Police Headquarters, Clifton Park, advised that he is usually in charge of the Park Police at the Stadium when games of all nature and

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kinds are played, with the exception of the days that he takes off and on those days Lt. John A. Urspruch, whose home address is 3047 Oak Forest Drive and who also operates out of the same headquarters as Lt. Livingston, substitutes for and directs the Park Police at the Stadium.

Lt. Livingston informed me that the Park Police Department assignment at the Stadium depends on the size of the expected crowd which will attend the event scheduled and that when the crowds are small in number they would have as little as four men on detail. For the larger events, such as a Navy-Notre Dame games, etc., and the larger football and baseball games, they would have as many as thirty men detailed. He informed me that in most instances fifteen men were brought to the Stadium for the games, but if the crowds are below one thousand in number they keep four men on duty; from two to three thousand or more, they keep from five to ten men on duty and in the larger games the entire thirty Park Officers are kept on. All of these Park Patrolmen are stationed on the Stadium grounds proper and the majority of them are stationed inside of the Stadium itself. In the larger games a Park Patrolman is stationed at the press box, the radio box, two on the inside field near the No. 1 gate on the east and west sides and one man at the Administration Building. The rest of the Park Patrolmen are scattered inside of the Stadium, with the exception of a number of officers who are detailed to work on the outside of the Stadium next to the Page fence between the various gates to prevent juveniles from climbing over the fences. He informed me that the Park Officers do not go up into the stands unless to quell disorderly conduct or to make arrests. Both of these Lieutenants informed me that the Park Officers do not patrol outside of the Stadium and have nothing to do with the parking on the Stadium grounds or directing the traffic on the outside of the Stadium.

They both informed me that any complaints having to do with any violations that would be called into the Park authorities would be referred to either of them or the clerk on duty at the Stadium, and neither of the Lieutenants to their own personal knowledge had ever received a complaint from any of the people living in the vicinity with regard to vandalism, trampling of lawns or property, urination or illegal parking in the alleys in the rear of the premises. Both of the Lieutenants stated that they personally had never received any complaints of noise made by the amplifying system at any of the games, but they did state that complaints of this nature had been called into the Stadium by some residents and that these complaints were received by the clerk on duty at the Stadium and that the clerk would order the amplifying system to be toned down. They state, however, that to their own knowledge, there were not many complaints of this type.

Lt. Livingston advised that he has been assigned to most of the events that took place at the Stadium from 1940 up to the present time. In 1940 he was there as a Sergeant and in 1946 when he was made a Lieutenant he was placed in supervisory charge of the Park Police. Lt. Livingston stated that the general conduct of the patrons attending the various games, whether

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they were football or baseball games, has been no different since the Orioles have been playing baseball there than what it was in the years from 1940 up until the date that the Orioles first came to the Stadium to play ball. He further states that the crowds that attend the baseball games are no different in appearance than the crowds that attend the football games. He is prepared to testify that the Orioles did not attract an undesirable or unruly element to the Stadium. As a matter of fact, both of these Lieutenants stated that in comparison with the number of people attending all the types of games at the Stadium, the arrest record for the Stadium is indeed small and the violations are almost trivial in their nature as compared with the number of and seriousness of the arrests made in other parks scattered about Baltimore City.

6 Attached hereto is a letter addressed to the writer by Capt. Gordon Gaeng of the Baltimore Park Police, which is self-explanatory and attached to it are two sheets showing the arrests and the disposition of the cases made in the Stadium in the year 1947. Lt. Livingston is having assembled at the present time the same information for the years 1940 to 1946 inclusive, and they will be attached to this file as soon as they are received.

In the event that someone is needed to testify to the above for the Mayor and City Council, these two Park Police Lieutenants will be the proper parties to subpoena. It is my opinion that while both will make good witnesses, Lt. Livingston is best qualified to testify.

In comparing the Park Police arrests at the Stadium in the year 1947 with the Baltimore City Police records of arrests at the Stadium for the same year, you will note that the Park Police list totals twenty-one arrests, while the City Police list gives a total of twenty-three for the same year. The accuracy of these lists may be questioned, because both of these lists contain seventeen duplicate arrests. The City Police list has the names of six parties who were arrested, but who were not on the Park Police list and the Park Police list contains the names of four persons who were not on the City Police list. Three of the names listed on the Park Police record, namely Wright, Arthur and Arthur, are for arrests made on the charges of breaking and entering, vandalism and larceny and they do not appear on the City Police list because they occurred at times other than when there were games being played. Therefore, there were a total of twenty-seven arrests made at the Stadium during the year 1947 and that figure was obtained by adding the four arrests made by the Park Police and not listed on the Baltimore City Police list, which number twenty-three; likewise, if the twenty-one arrests listed by the Park Police have added to them the six names that are on the Baltimore City Police list, the total again is twenty-seven.

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Since dictating the above, I have received a letter from Capt. Gaeng of the Baltimore Park Police, dated January 10, 1948, in response to my request for the number of arrests made by the Park Police in and about the Stadium from the years 1940 to 1946 inclusive, and which letter is self-explanatory. Attached to this letter was the record of the arrests made at the Stadium for those years by the Park Police and they total fourteen in number. This record of arrests, together with the letter, will be attached to Capt. Gaeng's letter of January 9, 1948 and will be captioned "Arrests Made in Stadium by Park Police, 1940 to 1947".

In order to determine the amount of complaints of all natures and kinds that were called into the Baltimore Stadium Administration Office located in the Stadium Administration Building, I had Thomas J. Guckert, 2202 Grestview Road, who is the Acting Manager of the Baltimore Stadium, come into this office on the morning of Monday, January 12, 1948, and obtained the following information to which he will testify if needed in court. Mr. Guckert states that he has been detailed to the Administration Office located in the Stadium since April, 1946 and has acted either in the capacity of clerk receiving all telephone messages or as Acting Manager.

As Acting Manager he was at or near the telephone located in the building, so that he knew of practically every call that was received on the City office 'phone. He will say, however, that the Orioles and the Colts had their own switchboard in the building and that calls were made to them on occasions having to do with City business or complaints and the switchboard operator of either the Orioles or the Colts would apprise Mr. Guckert of any calls that they received, but which were intended for him. Mr. Guckert states that he has been present at the playing of all the games, that is the football and baseball games and special events, whether they occurred during the day or night, and he was present before the games began and was there until the contests were over almost without exception.

Mr. Guckert informs me that it is true that complaints have been received by his office at various times, but that there was no record or book kept of the complainants, because in almost every instance the complainant would not give his or her name and address. He does state that his file contains one or two letters of complaint and that he was going to examine his files and turn over to me copies of the same.

I questioned Mr. Guckert with regard to the nature of the complaints that were received by him at the Stadium and he informed me that to the best of his knowledge there were only one or two complaints about dust and to the best



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of his recollection the parties complaining had requested that the automobiles be slowed up in going off the parking lots after the games, as they threw up dust. He also stated that he does not recollect whether these complaints came up in 1947 or 1946, or one in both of those years. He stated that there was also one complaint made, and he does not know if that was in 1946 or 1947, about the dirt that was tracked onto Ellerslie Avenue as a result of automobiles that had been parked on the Stadium parking grounds after a heavy rain. He stated that he had this condition cleaned up immediately the next day by having the Park employees flush the street down. He stated that with the exception of some complaints about the noise made by the public address system or amplifying system, which will be more fully explained, that to his recollection there never was a complaint about the overhead lights in the Stadium, parking on streets and alleys, noise of automobiles and pedestrians or the walking by pedestrians on lawns and shrubbery, the use of lawns by pedestrians as lavatories or the throwing of bottles, refuse or paper on lawns, or the attracting of an unruly or bad element of people to the game.

Mr. Guckert informs me that there were games played both in the daytime and nighttime. The larger Navy or Notre Dame games were played in the daytime, as were the Colt professional football games. The Orioles played baseball games both during the day and during the night. The only day games played by the Orioles were on Sundays. The double header games that were played during the week were known as twilight games and they began at 6 P.M. The regularly scheduled single night games began at 8 P.M.

Mr. Guckert states that to his own personal knowledge there were no complaints called in to the Stadium of loud noise caused by the public address system during any of the games played in the daytime hours, whether they were football, baseball or high school games. He will say that he recollects having been asked to tone down the public address system by Lt. Gribbin of the North-eastern Police District on some occasions during the playing of daytime games and more frequently during the playing of night games.

With regard to the playing of nighttime games, Mr. Guckert states that the majority of complaints were received during the playing of high school night games, and that he had had as many as six calls from different people in one night when these games were played. He also states that generally only one to four complaints were received and that the highest number was six on these occasions. He states that for the two years that he has been in almost active management of the Stadium, to the best of his recollection there were not over ten calls or complaints made to his office as a result of complaints of the excessive noise made by the public address system during the playing of night games by the Orioles. He further states that to the best of his recollection there were never over two complaints received in any one night from different people.



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Mr. Guckert further stated that in all there were approximately seventy-seven games of baseball played by the Orioles during the year 1947 and that they included both the Sunday day games, the twilight games and the night games.

Mr. Guckert states that no member of the Stadium or employee of the City Park Board has anything to do with the public address system, that is they do not broadcast any of the information nor do they have anything to do with the amplifying of the loud speakers. Each organization renting the Stadium facilities have their own announcer who controls the amplification. He states that there is a telephone from his office in the Administration Building to each of the amplifying booths and on occasion when he, Mr. Guckert, had thought that the loud speakers were amplified too high, he would 'phone over, before any complaints came in, to the broadcast booth and ask them to tone it down. He stated that in all cases the operator would comply with his request.

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Mr. Guckert has left with us the complete schedule for the games played in the Stadium by the various teams for the year 1947. As soon as this schedule has been copied, it will be attached to this file.

There is some additional information that I have been requested to furnish and will be attached to a supplemental report that is to follow. I realize that some of the information garnered by your writer is collateral, but in order to be certain that nothing of interest in the preparation of the defense of this case was omitted, it was incorporated herein.

Very truly yours,



SAMUEL R. DI PAULA  
Assistant Claim Manager

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## CITY SOLICITOR'S OFFICE

EXHIBIT: MAP OF 9TH WARD, BALTIMORE CITY

### L E G E N D

Result of Voting on Question No. 15 (Stadium  
Loan) in the Mayoralty Election, May 6, 1947

<u>Precinct Number</u>	<u>For Stadium Loan</u>	<u>Against Stadium Loan</u>
1	144	163
2	156	119
3	216	647
4	148	178
5	102	191
6	109	132
7	179	120
25	113	206
26	156	297

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Exhibit No. 15

### L E G E N D

- 1) Home of Mr. and Mrs. Frederick E. Green, 1200 East Thirty-third Street
- 2) Home of Mr. Leo J. Streb, 1204 Lakeside Avenue
- 3) Home of Mr. Harry Y. Wright, 1318 Lakeside Avenue
- 4) Home of Mr. Henry G. Spates, 1319 Windemere Avenue
- 5) Home of Mr. Charles H. Whitby, III, 1305 Windemere Avenue
- 6) Home of Dr. and Mrs. J. Willis Oyton, 1207 East Thirty-sixth Street
- 7) Home of Mr. William D. Gentry, 1106 East Thirty-sixth Street
- 8) Home of Mr. Wilfred E. Gosnell, 3621 Kimble Road
- 9) Home of Mr. Chester W. Vandusen, 3612 Reemere Road
- 10) Home of Mr. Lee E. Staples, 920 East Thirty-sixth Street
- 11) Home of Dr. and Mrs. Z. Vance Hooper, 3534 Ellersly Avenue
- 12) Home of Mr. Walter R. Harrison, 750 East Thirty-sixth Street
- 13) Home of Miss Jennie Sophie Hayen, 3308 Ellersly Avenue
- 14) Home of Mr. and Mrs. Frederick Thomas, 726 East Thirty-third Street
- 15) Eastern High School
- 16) Baltimore City College

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CITY SOLICITOR'S OFFICE

RECORD OF ARRESTS

MADE AT STADIUM

BY

BALTIMORE CITY POLICE

8/5/44 to 9/28/47

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## CITY SOLICITOR'S OFFICE

### ARRESTS MADE AT STADIUM--BASEBALL GAMES

<u>Date</u>	<u>Time</u>	<u>Name and Address</u>	<u>Disposition</u>
Aug. 5, '44	10:10 P.M.	William Johnson, 2514 Greenmount Ave. Covington Bragg, 204 Parkwood Rd.	Dismissed \$10.00 & costs
Sept. 4, '44	4:45 P.M.	John W. Taylor, 1839 Bolton St.	\$25.00 & costs forf.
April 28, '46	4:10 P.M.	Albert Meek, 1409 Cliftview Ave. Harry Jones, 721 E. Chase St. Joseph Hoech, 721 E. Chase St.	\$5.00 & costs \$5.00 & costs \$5.00 & costs
April 28, '46	5:30 P.M.	Wm. R. Birsh, 1429 Hull St. Lester Jones, 211 Heath St. Warren K. Bush, 130 E. Cross St.	\$10.00 & costs \$15.00 & costs \$5.00 & costs
April 28, '46	7 P.M.	William D. Shelhoss, 2549 Francis St. Woodrow S. Beach, 309 E. 25th St.	\$1.00 & costs \$1.00 & costs
Oct. 20, '45	10:20 P.M.	Robert W. Day, York, Pa. Howard Anderson, Hanover, Pa.	\$10.00 & costs \$25.00 & costs
July 26, '46	11:30 P.M.	Melville C. Baker, 600 Woodbourne Ave. Donald Campbell, 915 Brunswick St. Michael McDonnell, 338 E. 20th St.	\$25.00 & costs * \$10.00 & costs \$10.00 & costs
July 26, '46	11:50 P.M.	Charles H. Spindler, 884 W. Lombard St.	\$10.00 & costs
Sept. 14, '46	9:50 P.M.	Eugene Clark, 802 Jack St.	Dismissed
July 27, '46	3:40 P.M.	Jos. Mastracola, 127 N. Rose St.	\$5.00 & costs
Aug. 4, '46	6:10 P.M.	George S. Keithley, White Marsh, Box 54 (threw bottle--drunk)	\$25.00 & costs
Apr. 20, '47		Norman W. Shaw, 2202 Linden Ave. (Dis. conduct in Stadium; drunk in Stadium dismissed)	\$5.00 & cost
July 26, '47		Rufus Lavender, 3020 Frisby St. (Drunk)	\$10.00 & cost
June 13, '47		Edgar Pilert, 5 N. Easter St. (drunk) Edward Dunn, 312 N. Pasa St. (drunk) (Poss. of liquor in Stadium)	\$1.00 & costs \$1.00 & costs \$10.00 & costs sus.
June 5, '47		William Stokes, 410 E. 22 $\frac{1}{2}$ St. (Dis. conduct)	\$25.00 & costs



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Aug. 31, '47	Gerald J. Blondell, 4 E. 30th Drunk in Stadium Park Off. Leon Gray	Dismissed
Sept. 20 '47	Edwin J. Sadowski, 1430 Towson St. Thomas A. Reilly, 1909 Cecil Ave. Dis. conduct in Stadium Off. Geo. Flynn	\$5.00 & cost Dismissed
Sept. 21, '47	Frank Steward, 1506 E. Monmouth St. Climbing over fence of Stadium Having 1/2 pt. bottle of whiskey in possession in Stadium Park Off. Daniel Doxsen	\$25.00 & cost \$25.00 & cost
Sept. 28, '47	Bernard Grant, 604 E. 23rd St. Violation 21 Violation 18 Geo. Thomas, 2467 Brentwood Ave. Violation 21 Violation 18 Rudolph Jackson, 430 E. 23rd St. Violation 21 Violation 18 James W. Johnson, 1379 8th St., Washington, D.C. Violation 21 Violation 18 Allen Arvin, 315 E. 23rd St. Violation 21 Violation 18 Chas. Walters, 522 Hanover St. Violation 21 Chas. Banks, 2642 Beryl Ave. Violation 21 Off. Cordwell T.D. & Park Off. Doxsen	Dismissed Dismissed \$10.00 & cost Dismissed \$10.00 & cost \$5.00 & cost \$10.00 & cost \$5.00 & cost Dismissed Dismissed Dismissed Dismissed

\*--Arrested outside of Stadium

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## CITY SOLICITOR'S OFFICE

### ARRESTS MADE AT STADIUM--FOOTBALL GAMES

#### BALTIMORE CITY POLICE

<u>Date</u>	<u>Time</u>	<u>Name and Address</u>	<u>Disposition</u>
Dec. 7, '47		Ben T. Brown, U.S. Army Dis. conduct (Stadium)	\$25.00 & cost
		Arthur Haines, 3545 Keswick Rd.	\$10.00 & cost
Oct. 19, '47		Louis Linn, 2306 Barelay St. Larceny of 1 football marker	\$5.00 & cost
Oct. 17, '47		Harry Tighe, 3620 Manchester Ave. Dis. conduct	\$5.00 & cost
		Howard Green, 718 Bartlett Ave. Climbing fence at Stadium	\$5.00 & cost
Oct. 5, '47		Robert Barker, 13 S. Kresson St. Dis. conduct	\$5.00 & cost
Oct. 3, '47		Edwin E. Housk, 3008 Rayner Ave.	\$10.00 & cost

COPY

6

CITY SOLICITOR'S OFFICE

RECORD OF ARRESTS

MADE AT STADIUM

BY

PARK POLICE

1940 - 1947

BALTIMORE PARK POLICE  
HEADQUARTERS **COPY** CLIFTON PARK MANSION HOUSE  
BALTIMORE 13, MARYLAND  
CITY SOLICITOR'S OFFICE  
BELMONT 0885-0886

January 9, 1948

City Solicitor's Office,  
Court House,  
Baltimore, Maryland.

Attention: Mr. DiPaula

Dear Sir:

With respect to our telephone conversation as of January 8th, I have the following to report with respect to the survey concerning the Baltimore Stadium:

1. The Park Police Department's assignment at the Stadium depends on the size of the expected crowd which will attend the event scheduled. We have sent as few as four men to the Oriole baseball games where the crowd was low and as many as thirty men for such events as the Navy-Notre Dame football game. None of our men patrol off of the Stadium property.
2. There were 21 arrests made by Park Police on Stadium property during 1947. These were mainly for violations of Rule 18 (disorderly conduct) and Rule 21 (drunk in park). Attached you will find a chart giving complete information on these arrests.
3. We have received information that there was gambling in the stands (consisting of betting on the actions of a player) but we have been unable to make any arrests or see any money passed in payment of these alleged bets.
4. There have been considerable reprimands given to boys trying to climb the fence to see the various athletic contests. Nearly all of these cases are those of juveniles who are not arrested but merely warned. These attempts at jumping the fence could be eliminated by the construction of a Stadium which made some provision for the prevention of this nuisance. The way the Stadium now has the fences encourages "fence-hopping."
5. When the weather has been excessively hot for sometime, some dust is raised by the cars arriving on or leaving the parking lots.
6. Any complaints as to parking, disorderly conduct, and vandalism outside of the Stadium (i.e. the surrounding neighborhood) are referred to the Baltimore City Police Department who are responsible for this property. We issue no tickets or put up no signs on the city streets.
7. The general conduct at the Stadium in the past year was good as our light arrest record will indicate. Those "nuisances" which were so flagrant as "urination, drunkenness, and disorderly conduct" resulted in arrests. Most violations are trivial and the police can take care of the matter without making an arrest.

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## CITY SOLICITOR'S OFFICE

8. As to the control of the loud speaker system, Mr. Joseph J. King, Secretary to the Board of Recreation and Parks, is preparing a report on this matter. The speaker system does not come under the control of the Park Police.

I trust that the above information will help you in your survey. For any further information that you may require, do not hesitate to call on us.

Lieutenant M. F. Livingston and Lieutenant John A. Urspruch, who has recently been appointed from Sergeant, have been instructed to attend your conference to answer any question you may have with respect to our part in the policing of the Stadium. Lieutenant Livingston was in command of the majority of the details at the Stadium during the past year.

Very truly yours,

GORDON GAENG,  
Captain,  
Baltimore Park Police.

gg/dt  
encl.



# COPY

## CITY SOLICITOR'S OFFICE

### ARRESTS AT THE STADIUM IN YEAR 1947

NAME	DATE	OFFICER	VIOLATION	DISPOSITION CASE
Shaw, Norman 2202 Linden Avenue male white age 51	4/20	Urspruch	Rule 18 Rule 21	Dismissed Fined \$25
Pilbert, Edward 5 N. Exeter Street male white age 58	6/13	Dalton	Rule 21	Fined \$1
Dunn, Edward 312 N. Faca Street male white age 57	6/13	Dalton	Rule 21	Fined \$1
Lavender, Rufus 3020 Frisby Street male white age 40	7/26	Dalton	Rule 21	Fined \$10
*Wright, Artie 803 E. 41st Street male white age 13	8/6	Gryetz	Breaking and entering	Probation
Blondell, Gerald J. 4 E. 30th Street male white age 49	8/31	L. Gray	Rule 21	Fined \$5
Stewart, Frank 1506 E. Monument St. male colored age 20	9/22	Doxzen	Rule 20 Rule 27	Fined \$25 Fined \$25
Bank, Charles 2646 Beryl Avenue male white age 31	9/28	Doxzen	Rule 18	Dismissed
Walters, Charles 500 Hanover Street male white age 22	9/28	Doxzen	Rule 18	Dismissed
Arvin, Allen 300 E. 23rd. Street male colored age 36	9/28	Doxzen	Rule 18 Rule 20	Dismissed Dismissed
Johnson, James W. Washington, D.C. male colored age 21	9/28	Doxzen	Rule 18 Rule 20	Fined \$5 Fined \$10
Jackson, Rudolph 400 E. 23rd. Street male colored age 22	9/28	Doxzen	Rule 18 Rule 20 Assault	Fined \$5 Fined \$10 Fined \$25

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## CITY SOLICITOR'S OFFICE

Grant, Bernard 600 E. 23rd Street male colored age 27	9/28	Doxzen	Rule 18 Rule 20	Dismissed Dismissed
Thomas, George 2400 Brentwood Avenue male colored age 35	9/28	Doxzen	Rule 18 Rule 20	Dismissed
*Arthur, James 2928 Independence St. male white age 13	9/29-	Guerin	Vandalism to telephone trailers	Probation
Houck, Edward E. 3008 Raynor Avenue male white age 46	10/3	L. Gray	Rule 18 (Peeping Tom)	Fined \$10
Backer, Robert 13 S. Preston Street male white age 16	10/5	Nagornowski	Rule 18	Fined \$5
Green, Howard 718 Bartlett Avenue male white age 18	10/17	L. Gray	Rule 27	Fined \$15
Tyhe, Harry 3620 Manchester Ave. male white age 18	10/17	O'Connor	Rule 18	Fined \$5
Stafford, Gilda 700 N. Howard Street female white age 21	10/26	Dalton	Rule 21	Fined \$10
* Arthur, James E. 2928 Independence St. male white age 14	12/8	McAnally	Larceny	Committed to Rosewood

\*Denotes arrest made but not at a scheduled event

Rule 18- disorderly conduct in public park  
 Rule 20- having liquor in possession in public park  
 Rule 21- drunk in public park  
 Rule 27- climbing fences in public park

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**CITY SOLICITOR'S OFFICE  
BALTIMORE PARK POLICE**

**Headquarters -- Clifton Park Mansion House**

**Baltimore 13, Maryland**

**January 10, 1948**

**City Solicitor's Office,  
Court House,  
Baltimore, Maryland**

**Attention: Mr. DiPaula**

**Dear Sir:**

Attached hereto, please find a list of all of the recorded arrests at the Baltimore Stadium from from January 1st, 1940 through December 31st, 1946.

I have previously forwarded the arrest records for the Stadium for 1947 to you.

Unfortunately, I cannot attest to the accuracy of these records prior to my appointment as Acting-Captain of Park Police on November 1st, 1945. The officials of this department prior to that time were very careless about such records as these.

Since my appointment as the head of this department these arrests have been kept as accurately as possible.

Any further information that you may need will be furnished if at all possible.

**Very truly yours,**

**(Signed) GORDON GAENG**

**Gordon Gaeng,  
Captain,  
Baltimore Park Police**

**gg/dt  
encl.**

# RECORDED ARRESTS AT STADIUM 1940-1946

## CITY SOLICITOR'S OFFICE

Tydings, Edwin C. Govans, Maryland male white age 32	9/21/40	Corway	Rule 21	Dismissed
Meyer, Gilbert 437 E. North Ave. male white age 41	6/11/41	Stilson	Assault	Fined \$10
Ruhlman, William 1536 Battery Ave male white age 24	10/18/41	Stilson Rachliss	Rule 18 Assault	Fined \$5 Fined \$25
Kirby, Robert T. 1449 Boyle Street male white age 23	10/18/41	Stilson Rachliss	Rule 18 Assault (two Assault charges)	Fined \$25 Fined \$10 Fined \$10
Peach, Henry Norfolk, Virginia male white age 50	11/8/41	Wilson F.	Rule 18	Dismissed
Joyce, James Steubenville, O. male white age 35	11/8/41	Powits	Rule 21	Forfeited \$11.45 collateral
Finkle, Sam 18 N. Decker Ave. male white age 48	10/18/42	Livingston M. Scales	Rule 21	Dismissed
Vinetti, Nicholas 1013 N. Aisquith St. male white age 17	11/20/42	Shoemkaer Carey	Rule 18	Dismissed
Ventorie, Joseph 1527 Lafayette Ave. male white age 18	11/20/42	Shoemaker Carey	Rule 18	Dismissed
Bennett, John A. 1406 N. Fulton Ave. male white age 37	11/21/42	Livingston M James	Rule 18--peeping tom	Fined \$10
Panagalsoo, Peter 1011 Woodbourne Ave male white age 27	6/6/45	Cupp	Rule 4	Dismissed
Morris, Henry 2829 Huntingdon Ave male white age 22	6/11/46	Stewart	Rule 18	Fined \$5
McGlelland, James 2937 Huntingdon Ave male white age 17	6/11/46	Stewart	Rule 18	Fined \$5
Stahl, James 423 Tuxedo Street male white age 22	6/11/46	Stewart	Rule 18	Fined \$10

7  
COPY

CITY SOLICITOR'S OFFICE

S T A D I U M

SCHEDULED EVENTS

1 9 4 7



# COPY

## CITY SOLICITOR'S OFFICE

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## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

April 1 - (Tues.)  
" 2 - (Wed.)  
" 3 - (Thurs.)  
" 4 - (Fri.)  
" 5 - (Sat.)  
" 6 - (Sun.) - Easter Sunrise Service - 6:00 A.M. (Free)  
" 7 - (Mon.)  
" 8 - (Tues.) - N.Y. Yankees at Balto. (Exhibition Baseball)  
" 9 - (Wed.)  
" 10 - (Thurs.) - Univ. of Md. at Balto. (Exhibition Baseball)  
" 11 - (Fri.)  
" 12 - (Sat.)  
" 13 - (Sun.) - Washington at Balto. (Exhibition Baseball)  
" 14 - (Mon.)  
" 15 - (Tues.)  
" 16 - (Wed.)  
" 17 - (Thurs.) - Orioles vs. Toronto (8:30 P.M.) (Open. Season)  
" 18 - (Fri.) - Orioles vs. Toronto  
" 19 - (Sat.) - Orioles vs. Toronto (Postponed)  
" 20 - (Sun.) - Orioles vs. Montreal (2 Games)  
" 21 - (Mon.) - Orioles vs. Montreal (Postponed--rain)  
" 22 - (Tues.) - Orioles vs. Montreal  
" 23 - (Wed.) - Orioles vs. Buffalo  
" 24 - (Thurs.) - Orioles vs. Buffalo (Postponed)  
" 25 - (Fri.) - Orioles vs. Buffalo  
" 26 - (Sat.) - Orioles vs. Rochester  
" 27 - (Sun.) - Orioles vs. Rochester (2 Games)  
" 28 - (Mon.) - Orioles vs. Rochester  
" 29 - (Tues.)  
" 30 - (Wed.)

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## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

May	1	- (Thurs.)	- Religious Demonstration (Fr. Vaeth) (6 P.M.) (Free)
"	2	- (Fri.)	-
"	3	- (Sat.)	-
"	4	- (Sun.)	-
"	5	- (Mon.)	-
"	6	- (Tues.)	-
"	7	- (Wed.)	- (Tentative) Soccer Game (Philip Goodman) Cancelled
"	8	- (Thurs.)	-
"	9	- (Fri.)	-
"	10	- (Sat.)	-
"	11	- (Sun.)	-
"	12	- (Mon.)	-
"	13	- (Tues.)	-
"	14	- (Wed.)	- (Tentative) Soccer Game (Philip Goodman) Cancelled
"	15	- (Thurs.)	-
"	16	- (Fri.)	-
"	17	- (Sat.)	-
"	18	- (Sun.)	-
"	19	- (Mon.)	-
"	20	- (Tues.)	- Orioles vs. Newark
"	21	- (Wed.)	- Orioles vs. Newark
"	22	- (Thurs.)	- Orioles vs. Newark
"	23	- (Fri.)	- Orioles vs. Jersey City
"	24	- (Sat.)	- Orioles vs. Jersey City
"	25	- (Sun.)	- Orioles vs. Jersey City
"	26	- (Mon.)	-
"	27	- (Tues.)	-
"	28	- (Wed.)	-
"	29	- (Thurs.)	- Orioles vs. Syracuse
"	30	- (Fri.)	- Orioles vs. Syracuse (2 Games)
"	31	- (Sat.)	- Orioles vs. Syracuse

# COPY

## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS

1947

June	1	- (Sun.)	- Orioles vs. Rochester
"	2	- (Mond.)	- Orioles vs. Rochester
"	3	- (Tues.)	- Orioles vs. Rochester
"	4	- (Wed.)	- Orioles vs. Rochester
"	5	- (Thurs.)	- Orioles vs. Montreal
"	6	- (Fri.)	- Orioles vs. Montreal (2 Games)
"	7	- (Sat.)	- Orioles vs. Montreal
"	8	- (Sun.)	- Orioles vs. Toronto
"	9	- (Mon.)	- Orioles vs. Toronto
"	10	- (Tues.)	- Orioles vs. Toronto
"	11	- (Wed.)	- Orioles vs. Toronto
"	12	- (Thurs.)	- Orioles vs. Buffalo
"	13	- (Fri.)	- Orioles vs. Buffalo
"	14	- (Sat.)	- Orioles vs. Buffalo
"	15	- (Sun.)	- Orioles vs. Buffalo
"	16	- (Mond.)	-
"	17	- (Tues.)	-
"	18	- (Wed.)	-
"	19	- (Thurs.)	-
"	20	- (Fri.)	-
"	21	- (Sat.)	-
"	22	- (Sun.)	-
"	23	- (Mon.)	-
"	24	- (Tues.)	-
"	25	- (Wed.)	-
"	26	- (Thurs.)	-
"	27	- (Fri.)	-
"	28	- (Sat.)	- Maybe Baseball Game - 2nd Army (Cancelled)
"	29	- (Sun.)	-
"	30	- (Mon.)	-

# COPY

## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

July	1 - (Tues.)	-
"	2 - (Wed.)	-
"	3 - (Thurs.)	-
"	4 - (Fri.)	- Fireworks Display at Night
"	5 - (Sat.)	-
"	6 - (Sun.)	- Orioles vs. Newark (2 Games)
"	7 - (Mon.)	- Orioles vs. Newark
"	8 - (Tues.)	- Orioles vs. Newark
"	9 - (Wed.)	- Orioles vs. Jersey City
"	10 - (Thurs.)	- Orioles vs. Jersey City
"	11 - (Fri.)	- Orioles vs. Jersey City
"	12 - (Sat.)	- Orioles vs. Jersey City
"	13 - (Sun.)	- Orioles vs. Syracuse
"	14 - (Mon.)	- Orioles vs. Syracuse
"	15 - (Tues.)	- Orioles vs. Syracuse
"	16 - (Wed.)	- Orioles vs. Syracuse
"	17 - (Thurs.)	-
"	18 - (Fri.)	- Maybe Baseball Game - 2nd Army (Cancelled)
"	19 - (Sat.)	-
"	20 - (Sun.)	-
"	21 - (Mon.)	- Orioles vs. Rochester
"	22 - (Tues.)	- Orioles vs. Rochester
"	23 - (Wed.)	- Orioles vs. Rochester
"	24 - (Thurs.)	- Orioles vs. Montreal
"	25 - (Fri.)	- Orioles vs. Montreal
"	26 - (Sat.)	- Orioles vs. Montreal
"	27 - (Sun.)	- Orioles vs. Toronto
"	28 - (Mon.)	- Orioles vs. Toronto
"	29 - (Tues.)	- Orioles vs. Toronto
"	30 - (Wed.)	- Orioles vs. Toronto
"	31 - (Thurs.)	- Orioles vs. Buffalo



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## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

August	1	(Fri.)	- Orioles vs. Buffalo						
"	2	(Sat.)	- Orioles vs. Buffalo						
"	3	(Sun.)	- Orioles vs. Buffalo						
"	4	(Mon.)	- Vatican Choir (Touring American Cities)						
"	5	(Tues.)	- International Allstar Amateur Baseball Series (Practice)						
"	6	(Wed.)	- " " " " " "						
"	7	(Thurs.)	- " " " " " "						
"	8	(Fri.)	- " " " " " "						(8 P.M.)
"	9	(Sat.)	- " " " " " "						(8 P.M.)
"	10	(Sun.)	- " " " " " "						(2 P.M.)
"	11	(Mon.)	-						
"	12	(Tues.)	-						
"	13	(Wed.)	-						
"	14	(Thurs.)	-						
"	15	(Fri.)	-						
"	16	(Sat.)	-						
"	17	(Sun.)	-						
"	18	(Mon.)	- Orioles vs. Syracuse						
"	19	(Tues.)	- Orioles vs. Syracuse						
"	20	(Wed.)	- Orioles vs. Syracuse						
"	21	(Thurs.)	-						
"	22	(Fri.)	-						
"	23	(Sat.)	-						
"	24	(Sun.)	- Orioles vs. Jersey City						
"	25	(Mon.)	- Orioles vs. Jersey City						
"	26	(Tues.)	- Orioles vs. Jersey City						
"	27	(Wed.)	- Orioles vs. Jersey City						
"	28	(Thurs.)	- Orioles vs. Newark						
"	29	(Fri.)	- Orioles vs. Newark						
"	30	(Sat.)	- Orioles vs. Newark						
"	31	(Sun.)	- Orioles vs. Newark						

\*--Maybe Drum Corps Contest - Night

# COPY

## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

September	1	(Mon.)	- Md. Jr. Drum & Bugle Corps Contest (5 P.M.)
"	2	(Tues.)	-
"	3	(Wed.)	- Touchdown Club - Amateur Baseball Champions Playoffs
"	4	(Thurs.)	-
"	5	(Fri.)	-
"	6	(Sat.)	-
"	7	(Sun.)	- Colts vs. Brooklyn (Pro-Football)
"	8	(Mon.)	-
"	9	(Tues.)	-
"	10	(Wed.)	-
"	11	(Thurs.)	-
"	12	(Fri.)	-
"	13	(Sat.)	-
"	14	(Sun.)	-
"	15	(Mond.)	-
"	16	(Tues.)	-
"	17	(Wed.)	-
"	18	(Thurs.)	-
"	19	(Fri.)	- City vs. (Day) High School (Cancelled—see letter)
"	19	(Fri.)	- Forest Park vs. Patterson Park (Night)
"	20	(Sat.)	- Poly vs. Southern (Night) High School
"	21	(Sun.)	- Variety Club (Redskins vs. Greenbay Packers)
"	22	(Mon.)	-
"	23	(Tues.)	-
"	24	(Wed.)	-
"	25	(Thurs.)	-
"	26	(Fri.)	- Southern vs. Forest Park (Night)
"	27	(Sat.)	- Poly vs. McDonogh (Night) High School
"	28	(Sun.)	- Colts vs. New York (Pro-Football)
"	29	(Mon.)	-
"	30	(Tues.)	-

\*--Marine Corps Reserve vs. Veterans Institute (High School) (Day) (Cancelled)

# COPY

## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

October	1	- (Wed.)	-
"	2	- (Thurs.)	-
"	3	- (Fri.)	- Patterson vs. Poly (Night) High School
"	4	- (Sat.)	- Forest Park vs. Calvert (Day) High School
"	4	- (Sat.)	- Southern vs. City (Night) High School
"	5	- (Sun.)	- Colts vs. San Francisco (Pro-Football)
"	6	- (Mon.)	-
"	7	- (Tues.)	-
"	8	- (Wed.)	-
"	9	- (Thurs.)	-
"	10	- (Fri.)	-
"	11	- (Sat.)	- Navy vs. Duke
"	11	- (Sat.)	- Patterson vs. Southern (Night) High School
"	11	- (Sat.)	- Forest Park vs. Mt. St. Joseph (Night)
"	12	- (Sun.)	-
"	13	- (Mon.)	-
"	14	- (Tues.)	-
"	15	- (Wed.)	-
"	16	- (Thurs.)	-
"	17	- (Fri.)	- City vs. Patterson Park (Night) High School
"	18	- (Sat.)	- Southern vs. (Day) High School (Cancelled)
"	18	- (Sat.)	- Veterans Institute - Football (Day)
"	18	- (Sat.)	- Poly vs. Loyola (Night) High School
"	19	- (Sun.)	- Colts vs. Los Angeles (Pro-Football)
"	20	- (Mon.)	-
"	21	- (Tues.)	-
"	22	- (Wed.)	-
"	23	- (Thurs.)	-
"	24	- (Fri.)	- City vs. Mt. St. Joseph (Night) High School
* "	25	- (Sat.)	- U.S. Marines Quantico vs. Patuxent Naval Base (Day)
"	25	- (Sat.)	- Poly vs. Forest Park (Night) High School
"	26	- (Sun.)	-
"	27	- (Mon.)	-
"	28	- (Tues.)	-
"	29	- (Wed.)	-
"	30	- (Thurs.)	-
"	31	- (Fri.)	- Patterson vs. Mt. St. Joseph (Night)

\*—This game was played on October 26.

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## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

November	1 - (Sat.)	- Veterans Institute Football Game (Day)
"	1 - (Sat.)	- Southern vs. Charlotte Hall (Night) High School
"	2 - (Sun.)	-
"	3 - (Mon.)	-
"	4 - (Tues.)	-
"	5 - (Wed.)	-
"	6 - (Thurs.)	-
"	7 - (Fri.)	-
"	8 - (Sat.)	- Navy vs. Georgia Tech.
"	8 - (Sat.)	- Forest Park vs. City (Night) High School
"	9 - (Sun.)	- Mt. St. Joe vs. Calvert Hall (Day)
"	10 - (Mon.)	-
"	11 - (Tues.)	-
"	12 - (Wed.)	-
"	13 - (Thurs.)	-
"	14 - (Fri.)	- City vs. Wash. & Lee (Night) High School
"	15 - (Sat.)	- Navy vs. Penn State
"	15 - (Sat.)	- Forest Park vs. Wilmington High (Night)
"	15 - (Sat.)	- Patterson vs. St. Paul (Night) High School
"	16 - (Sun.)	- Mt. St. Joe vs. Loyola (Day)
"	17 - (Mon.)	-
"	18 - (Tues.)	-
"	19 - (Wed.)	-
"	20 - (Thurs.)	-
"	21 - (Fri.)	-
"	22 - (Sat.)	-
"	23 - (Sun.)	- Colts vs. Buffalo (Pro-Football)
"	24 - (Mon.)	-
"	25 - (Tues.)	-
"	26 - (Wed.)	-
"	27 - (Thurs.)	- City vs. Poly (2:00 P.M.)
"	27 - (Thurs.)	- Loyola vs. Calvert Hall (10:00 A.M.)
"	28 - (Fri.)	-
"	29 - (Sat.)	-
"	30 - (Sun.)	- Colts vs. Chicago (Pro-Football)

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## CITY SOLICITOR'S OFFICE

### STADIUM EVENTS 1947

December	1 - (Mon.)	-
"	2 - (Tues.)	-
"	3 - (Wed.)	-
"	4 - (Thurs.)	-
"	5 - (Fri.)	-
"	6 - (Sat.)	-
"	7 - (Sun.)	- Colts vs. Cleveland (Pro-Football)
"	8 - (Mon.)	-
"	9 - (Tues.)	-
"	10 - (Wed.)	-
"	11 - (Thurs.)	-
"	12 - (Fri.)	-
"	13 - (Sat.)	-
"	14 - (Sun.)	-
"	15 - (Mon.)	-

NOTE:--All baseball games scheduled on Sundays are day games. Twilight games were played on Tuesdays, starting at 6 o'clock. Games scheduled on days other than these two were held at 8 o'clock.



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## CITY SOLICITOR'S OFFICE

January 7, 1948.

Mr. Edward P. Roth,  
Assistant Claim Manager.

IN RE: FREDERICK E. GREEN, ET AL vs. ROBERT GARRETT, ET AL

Dear Mr. Roth:-

In reference to the above named case and I having personal acquaintance with Colonel John G. Shettle who resides at 18 Greenridge Road, Towson, 4, Maryland and who is Commanding Officer of the Second Army Recruiting District, I called to see Colonel Shettle at his office, Room 350 Post Office Building, on January 7th, 1948.

Colonel Shettle advised me that he was born and raised at 211 Independent Street, which at that time was just north of Gorsuch Avenue, or about two blocks south of where the Baltimore Stadium is now located. Colonel Shettle advised me that prior to the erection of the Baltimore Stadium there were no houses north of Gorsuch Avenue east of Old York Road and west of the Hillen Road except some old frame houses on 36th and 37th Streets about two blocks west of where the stadium is now located. He informed me that if all brick constructed houses would be eliminated in the area north of Gorsuch Avenue and between Old York Road and Hillen Road you would have a picture of the number of frame homes near the location of the stadium prior to the erection of same.

He informed me that the stadium was built on the ground formerly occupied by Hertel's Brick Yard. He stated the brick yard excavated a large area for clay which was used in the manufacture of brick and after this large hole was made same began to fill up from water of a stream to the west and he and a number of boys in this vicinity used this as a swimming hole.

Due to this water filling in this hole as clay was dug it became necessary for the brick yard to discontinue their operations. He stated that from the time that the Hertel's Brick Yard discontinued their operations at this point until operations were started for the erection of the stadium this particular piece of ground was in a very deplorable condition and it is his opinion that 33rd Street having been cut through prior to the time the stadium was erected and since the stadium was erected, this improved this area to a great extent.

He further stated that shortly after the stadium was erected building operations for private homes were started, the builders having had prior knowledge that the stadium was to be erected at this site. It is also Colonel Shettle's opinion from his observations over a period of years that the erection of the stadium was the direct result and the beginning of the improvements

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## CITY SOLICITOR'S OFFICE


of private property through building operations in this vicinity.

After my talk with Colonel Shettle he informed me that he would be available to the City Solicitor's Office at any time to testify as to existing conditions prior to the erection of the stadium, after the erection and up to the present time. He offered his services to anyone of this department who may call at his office to see him, Room 360 Post Office Building at any time or he would be willing to come to the City Solicitor's Office at any time providing he was given advanced notice. This he offered to do for further discussion in this matter.

Colonel Shettle then gave me the name of Dr. H. G. Prentiss of 634 Gorsuch Avenue who is an old resident of that vicinity and who he thinks is close to ninety years of age. He also gave me the name of Mr. Charles H. Uhing, 943 Gorsuch Avenue also an old resident and a former secretary to the Police Commissioner of Baltimore City. He states that Mr. Uhing is about 68 years of age and feels confident Dr. Prentiss and Mr. Uhing can be of some help in this matter. He also gave me the name of Arthur Reed and Abe Cole both of whom formerly lived in that vicinity but their present addresses unknown to him.

I will endeavor to interview Dr. Prentiss and Mr. Charles Uhing after which I will submit my report regarding the interview.

Very truly yours,

  
WILLIAM G. VOGEL,  
Senior Investigator.

WGV:CB

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CITY SOLICITOR'S OFFICE

January 8, 1948.

Mr. William B. Henkel,  
Claim Manager.

IN RE: SUIT OF FREDERICK E. GREEN, ET AL vs.  
MAYOR & CITY COUNCIL, ET AL

Dear Mr. Henkel:-

7A  
I am attaching four blue prints, one of which is the plan of the press box and radio room at the Baltimore Stadium which was prepared by Otto Kubitz, a consulting engineer, and which is undated. There are in addition three blue prints showing the lighting layout of the stadium, two of which were prepared in March of 1939 and the last in September of 1946.

I particularly call your attention to the blue print, the title of which is Lighting Installation Baltimore Stadium, and you will there note six batteries of lights mounted on towers. These lights are at the same location and of the same power as at the present time. In the white print dated September, 1946 these same lights are shown but they have been supplemented by two batteries of lights of thirty-two lights each of 1500 watts placed behind the playing field of the baseball diamond. These lights, according to my present information, were placed at this location by the Orioles since they have leased the stadium. These lights are directed towards the south and do not adversely affect property in the immediate vicinity since they do not in any manner aggravate the glare complained of.

I have closely examined the minute book of Park Board Meetings starting with the minutes of July 5th, 1944 and continuing until June 5th, 1945. I made a number of notations which will undoubtedly be of some interest to us in considering the defense of the present injunction suit.

At a meeting held in the east locker room of the Baltimore Stadium at 2:30 P. M. of July 5th, 1944 with President Frank H. Durkee in the chair, attended by S. Lawrence Hammerman and Edward Kowzan, Board Members, the following information was reported by Secretary J. V. Kelly. The meeting was especially called because of a fire at Oriole Park on the morning of July 4th, 1944 and was in response to a special request of President George W. Reed, General Manager A. T. Thomas and Business Manager Herbert Armstrong of the Baltimore Baseball and Exhibition Company, who wished to make temporary arrangements for the use of the stadium by the Orioles. President Durkee stated that Mayor McKeldin had already approved this use of the stadium and that the Oriole contractors had started to lay out the baseball diamond. A letter of W. T. Benson, 1209 Lakeside Avenue dated July 4th, 1944 was read in which he vigorously protested the use of the stadium for professional baseball and in which he threatened injunction by home owners in

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## CITY SOLICITOR'S OFFICE

the vicinity. The question was raised at the meeting as to the manner of handling the selling concession with the Baltimore Concession Company who had the 1944 contract with the Orioles, whereas the Park Board had a contract for that year with Jacob Bros. It was also suggested that the schedule of the Orioles should be made to fit in with the dates arranged for by the Police Department, City Highschools and the football schedule of the Navy Athletic Association. A schedule was then introduced showing that the games set for September 11th, 15th, 18th, 22nd, 29th and 30th were all to be held at night which, of course, meant that the flood lights were to be used. Only two games on September 23rd and 30th were to be played in the afternoon. President Reed of the Orioles said that all the baseball games would be completed by September 24th except the playoffs. It was understood that the restoration of the football field would be made by the Orioles without cost to the City.

President Reed was then apprised of the charges made by the Park Board for the use of the stadium and these were 15% for afternoon games and 20% for night games or a flat rental of \$5,000.00 for a single game. It was pointed out that these charges were even paid by the various City Highschool Football Games held in the stadium. President Reed then brought to the attention of the Park Board a letter dated July 22nd, 1941 submitted by Commissioner Kelly of the Park Board as chairman of the Stadium Committee asking for consideration of a contract for the use of the stadium by the Orioles in the event of fire at the ball park. A discussion then followed in which the members of the board voiced their objection to a formal contract but they were in unanimous agreement that the stadium could be used subject to the usual changes and to prior commitments. The discussion on the rental was then resumed but no agreement was reached.

There was some discussion concerning parking, particularly in dry weather and a suggestion was made that some dust settling chemical could be used. President Reed was then told that all lights were to be extinguished by 11 P. M. to which he agreed subject to the exception that all tie games would be continued beyond that time but that in no event were the lights to be continued beyond 11:30 P. M. It was suggested that the lights be operated by Park Department electricians but that their services would be paid for by the Orioles. There was also a recommendation that all cleaning up after the baseball games be done by employees of the Orioles.

President Reed then asked about the possibility of renting the stadium permanently and he was told that it would be taken up at the next Board Meeting as the board desired to get in touch with Cleveland where the Municipal Stadium was used for both football and baseball games. The meeting concluded with a promise on the part of the Oriole officials to wet down the seats after the games and to furnish their own fire protection guards.

At a meeting held by the Park Board on July 11th, 1944



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## CITY SOLICITOR'S OFFICE

presided over by President Durkee and attended by Commissioners Hammerman, Armor and Kowzan, President Reed of the Orioles, Business Manager Armstrong and Attorney J. Kemp Bartlett, Jr. were heard. President Reed suggested that the cleaning up of the stadium be performed by Park Department employees at the City's expense provided a lease was entered into between the City and the Orioles at the usual rates. It was also suggested that the control of the lights be in charge of the Orioles own electrician who is familiar with baseball needs but that the services of the two Park employees be continued. Mr. Armstrong also brought out the fact that the sound amplifying system of the stadium was too loud for baseball and he asked permission to install the Orioles own system which, however, was in need of repairs. Pending the installation of the amplifying system of the Orioles he sought permission to have a private contractor work with the Park electrician in cutting down the volume of the amplifying system. Not only did he declare that the present system was too loud for baseball games but that he wished to modify it to satisfy neighbors and thus eliminate one of the principal complaints. He also declared that he had promised to eliminate the use of the north gate and use that area for the parking of cars.

Mr. Armstrong also requested permission to use the stadium assembly room as an office and requested permission to install a heavy door since the existing door had been broken open. President Reed then brought up the question of rental and asked that the Board consider the fact that the Orioles would be required to expend the sum of \$25,000 to put the field and the stands in proper condition for baseball games to be taken into consideration. The concession problem was then discussed and was not settled although it was agreed that beer was not to be sold in the stadium. The baseball authorities also agreed that no commercial advertisement was to be allowed. President Reed mentioned that he had conferred with the Mayor, City Solicitor and the Chief Engineer who agreed that 15% rental was favored but Commissioner Armor suggested that a 12½% rental be charged because of the number of games to be played and the limited use of the seats.

In a meeting held on July 12th, 1944 presided over by President Durkee and attended by Commissioners Armor, Hammerman and Kowzan, Mr. Durkee reported that the Mayor had approved the rental at 12½% of gross ticket sales less taxes collected and that the drawing of a formal contract was in the hands of the City Solicitor. Two letters of protest written to Mayor McKeldin, one by W. T. Benson, dated July 4th and another by F. P. Glose dated July 5th were then read and laid on the table.

At a meeting held at the Stadium Office Building at 2:40 P. M. of August 16, 1944 attended by President Durkee and Commissioners Armor, Hammerman and Kowzan, a committee of the All American Amateur Baseball Association consisting of Glenn L. Martin, James F. Enright, Wilford Carter and Colonel Charles Swann, the advantages of the use of the stadium by professional baseball interests was discussed and the feasibility of financing improve-



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## CITY SOLICITOR'S OFFICE

ments upon a self-liquidating basis was commented on. After the retirement of this committee the contract with the Orioles was discussed upon the agreed rental of 12½% and it was mentioned that the cost to the Park Board for the use of the stadium varied from \$250 to \$300 per event. President Durkee next read a letter dated August 11th and referred to him by Mayor McKeldin written by W. T. Benson, 1209 Lakewood Avenue protesting the use of the stadium for professional baseball games with particular reference to a proposed expenditure of \$700,000 in rebuilding the stadium. This letter was acknowledged and filed pending the rebuilding of the stadium.

At a meeting held on September 6th, 1944 President Durkee read a letter of August 31st, 1944 written to the board by Deputy City Solicitor Morris A. Baker stating that under the stadium lease to the Orioles the Park Board was to be furnished with certified copies of Federal and State Admission Tax Receipts covering admissions to the games. This letter was accompanied by a tax receipt of \$20872.13 marked paid. President Durkee declared since the Park Board considered the Orioles to be entirely honest in their financial dealings with the Board these tax receipts would not be required.

At a meeting held in the Administration Building at Druid Hill Park at 2:30 P. M. of October 4th, 1944 attended by President Durkee and Commissioners Armor, Hammerman and Kowzan, President Reed and Attorney Bartlett of the Orioles furnished the Board with a list of changes and improvements for the year 1945. The first matter discussed was the Little World Series before the Navy-Duke Game of October, 1944 in which it was suggested that only the games on Monday, Tuesday and Wednesday be permitted since Commander Gilmore of the Navy Athletic Association had insisted that heavy lighting standards brought over from Oriole Park and erected at the north end of the playing field would have to be down by Thursday morning and that the back stop, the broadcasting booth and railings put up to mark reserved seat sections for baseball would also have to be off the playing field at that time.

President Reed then declared that the 12½% rental had been satisfactory which he attributed to unusual attendance but he suggested that the arrangements for 1945 be reduced to 10% plus revenue from concessions. It was then brought out that the use of the stadium for baseball not only increased the expenditures of the Park Department but also required additional expenses on the part of the Water, Fire and Police Departments. No agreement on rental was reached.

At a meeting held in the Green Room on the third floor of the Hotel Emerson at 1 P. M. of October 9th, 1944 attended by President Durkee and Commissioners Armor, Hammerman and Kowzan, General Frank A. Hancock, Stadium Director and George A. Nichols, General Superintendent of Parks was also present. A discussion

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## CITY SOLICITOR'S OFFICE

of the 22 point program of changes submitted by the Orioles under date of October 2nd, 1944 then took place with the following agreement:-

### TO BE PAID FOR BY THE CITY

- a. Dust prevention treatment of parking area. (Item 1)
- b. Additional 2-man ticket booth on west side. (Item 9)
- c. Provide adequate toilet facilities. (Item 10)
- d. Seats and rows properly and clearly marked. (Item 13)
- e. Remove hazard of steps into box seats as recommended by stadium director. (Item 15)
- f. Complete sodding of running track area. (Item 17)
- g. Change archway gates to make complete height of arches useable and gates more easily opened and shut. (Item 18)
- h. Add wooden fence to left field to reduce injury hazard. (Item 19)
- i. Provide portal screens for dressing room doors. (Item 20)
- j. Improve playing field by grading where necessary. (Item 21)
- k. Improve stadium building assembly room to make suitable for baseball club administration offices. (Item 22)

### TO BE PAID FOR BY THE BASEBALL CLUB

- a. Paint seats in reserved section. (Item 5)
- b. Provide turnstile at gate. (Item 6)
- c. Provide enclosed storage space at north end of field and in administration building. (Item 12)

### TO BE UNDERTAKEN BY THE CITY CONDITIONAL UPON REVENUE TO BE DERIVED

- a. New covered press box behind home plate. (Item 2)
- b. Backs on seats in reserved section. (Item 4)
- c. Raise outside fence to height of 11'. (Item 7)
- d. Additional ticket booths of permanent type. (Item 8)
- e. Provide more adequate water supply facilities. (Item 11)

### TO BE ELIMINATED AS NOT FEASIBLE

- a. Request for more box seats. (Item 3)
- b. Widen aisle in front of "X" section seats. (Item 14)

### TO BE TAKEN CARE OF OUTSIDE CONTRACT WITH BALL CLUB AND IN CONNECTION WITH SEPARATE SELLING PRIVILEGE CONTRACT

- a. Provide additional concession stands. (Item 16)

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## CITY SOLICITOR'S OFFICE

The Board Members then agreed that the year round use of the Stadium Administration Building for offices by the Orioles including the furnishing of heat, light and janitor service should be under a separate rental contract and that there should be a provision that there should not be any interference by the Orioles with other users of the stadium building, particularly the Navy Athletic Association during the football season. It is interesting to note that the stadium director was authorized to grant use of the Assembly Room to neighborhood property owners for mass protest meetings against the commercial use of the stadium. The Board Members then agreed that the rental contract for 1945 be increased by 12½% to 15% with a guarantee of \$250 per game. The selling concession was then reviewed. A discussion also took place concerning construction changes in the seating of section "X". It was commented upon that the use of the stadium for professional baseball had increased the cost to the City to around \$50,000 a year.

At a meeting called at 2:30 P. M. of November 8th, 1944 in the Administration Building at Druid Hill Park and attended by President Durkee and Commissioners Armor, Hammerman and Kowzan, the president reported having received a letter dated October 20th, 1944 from City Solicitor Sobeloff asking for a statement of expenses directly or indirectly attributable to the Orioles use of the stadium. This statement had been furnished as prepared by Secretary Kelly showing that total expenditures of \$21,113.08 had been expended of which \$15,000 could be directly or indirectly charged to professional baseball. This is a material reduction from the estimated \$50,000 a year made at the previous Board Meeting.

At a meeting held at 2:35 of December 13th, 1944 in the Administration Building of Druid Hill Park attended by President Durkee, Commissioners Armor, Hammerman and Kowzan, a letter of E. Stuart Windsor, Chairman of the Stadium Neighborhood Protest Committee requesting the Board to grant the committee a hearing was read and a hearing date was set for 7 P. M. of Thursday, December 21st, 1944 at the stadium.

This meeting was resumed at 2 P. M. of December 17th, 1944 at which time President Durkee read a letter addressed to the Board by Mayor McKeldin dated December 11th, 1944 submitting for the Board's consideration a confidential recommendation from the Stadium Executive Committee of the Mayor, made under date of December 4th, 1944, that the Orioles be allowed to make temporary use of the stadium until a more adequate program could be worked out.

8 The meeting held in the Assembly Room at the Baltimore Stadium at 7 P. M. of December 21st, 1944 which was the meeting especially set aside to hear the Stadium Neighborhood Protest Committee was copied in its entirety for me by Miss Margaret Leach of the Park Board and is attached.

At a meeting of the Board held in the Administration

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## CITY SOLICITOR'S OFFICE

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9 Building, Druid Hill Park at 2:35 P. M. of January 3rd, 1945 attended by President Durkee and Commissioners Armor, Hammerman and Kowzan it was brought out in discussion by President Durkee that the Mayor favored the continued use of the stadium by the Orioles with the suggestion that the Park Board agree on terms. President Durkee stated that since the contract would have to be drawn up by the City Solicitor's Office the question of notifying Attorney Charles C. G. Evans, the attorney for the Protest Committee should be left to the City Solicitor's Office. Mr. Evans' request is set out in full in the notes of the meeting of December 21st, 1944. Commissioner Armor made the point that the Ball Club should be committed to having its own baseball park as a guarantee to neighborhood objectors that the use of the stadium for professional baseball would not be permanent. It was also suggested that night games be started an hour earlier to mollify as much as possible the neighborhood objection to the glare of lights. It was also suggested that the rental charge be continued at the 12 $\frac{1}{2}$ % rate with a minimum guarantee of \$15,000 and a selling concession split of 50 - 50.

A tabulation of the use of the stadium for the year 1944 showed 1,031,979 plus 43,788 using stadium buildings with a gross receipt of \$98,702.17 from which had been deducted \$2900 for labor and \$500 even for expenses paid out of cash. The sum of \$95,302.17 was turned over to the Bureau of Receipts.

At the meeting held in the Baltimore Stadium Building at 11:30 A. M. of March 10th, 1945 attended by President Durkee and Commissioners Armor and Kowzan the concession was discussed. The contract with the Orioles was also signed by President Durkee and President Reed subject to the approval of the City Solicitor's Office for form and legal sufficiency for the period ending December 31st, 1945.

At a meeting held at the Administration Building at Druid Hill Park at 2:25 P. M. of April 25th, 1945 attended by President Durkee and Commissioners Hammerman, Armor and Kowzan a complaint of Mrs. E. F. Parks, 1020 East 36th Street, of dust raised by parkers at the stadium which required people residing in the vicinity to keep their windows closed was read and discussed. The General Superintendent of Parks reported that the Bureau of Street Cleaning could keep the parking area sprayed at a cost of \$13.28 per day or \$1000 for the season with the possibility that their figure might be reduced to \$800. The Superintendent was given the power to act by the Board.

10 At this same meeting an opinion given by Assistant City Solicitor Allan A. Davis and approved by Deputy City Solicitor Crowther that the Board of Park Commissioners had the authority to rent or lease property under its jurisdiction for other than park purposes provided such property had <sup>not</sup> been a part of the park area dedicated to public use.



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## CITY SOLICITOR'S OFFICE

At a Board Meeting held on June 5th, 1945 the Board disapproved a suggestion of Police Commissioner Atkinson that parking space in Venable Park south of 33rd Street be lighted because the illumination would prove objectionable to surrounding property owners.

The book from which these minutes were taken first recorded the minutes of the meeting of March 6th, 1934 and terminated with the minutes of June 5th, 1946. In scanning through some of the minutes I ran across the fact that General Hancock, the Stadium Director, was retired as of May 31st, 1945.

I realize that a great deal of the comments made above concerning the Park Department's action on the stadium matters are entirely extraneous to the subject matter of this suit but I thought it well to provide you with this digest and afford you the opportunity to discard material of no interest to you. I expect to have additional information concerning this matter within the next day or so.

Very truly yours,



EDWARD P. ROTH,  
Assistant Claim Manager.

EPR:CB



8

December 21, 1944

The Board met this day in special session.

Place: Assembly Room - Baltimore Stadium  
Time : 7:00 o'clock, P. M.

Present: Frank H. Durkee, President, in the Chair  
George M. Armor  
S. Lawrence Hammerman  
Edward Kowzan

The meeting had been arranged in accordance with a letter request dated December 11, 1944, addressed to the President of the Board by Mr. E. Stuart Windsor, Chairman of the Stadium Neighborhood Protest Committee, requesting that the members of the Executive Committee be given an opportunity to appear before the Board in opposition to the continued use of the Stadium for professional baseball.

In calling the meeting to order, the President submitted and read Mr. Windsor's letter, and explained the change of date to December 21. He then introduced himself and the members of the Board and asked Mr. Windsor to proceed.

There were twenty persons present in the group, including Mr. Windsor, of 3702 Elkader Road, and former City Solicitor, Charles C. G. Evans. The others present were:

Rev. Leslie M. Bowling	- 1600 E. 32nd Street
Harry W. Gambrill	- 1102 E. 36th Street
Robert M. Williams	- 1205 E. 36th Street
Frank F. Dorsey	- 1215 Round Hill Road
John H. Jackson	- 1221 Southview Road
Jacob Gross, Jr.	- 1310 E. 33rd Street
Joseph H. Itzel	- 764 E. 36th Street
Henry E. Bien	- 3214 Ellerslie Avenue
Fred P. Glose	- 3633 Rexmere Road
Z. Vance Hooper, M. D.	- 3534 Ellerslie Avenue
Harry Y. Wright	- 1318 Lakeside Avenue
John S. Hofmeister	- 3617 Yolando Road
Charles D. Flagle	- 806 Venable Avenue
James H. Gorges	- 1306 E. 33rd Street
Francis D. McNamara	- 1320 E. 33rd Street
Charles H. Whitby, 3rd	- 1305 Windemere Avenue
William D. Gentry	- 1106 E. 36th Street
Benjamin Chambers	- 1506 Windemere Avenue

Mr. Windsor stated that all those present were members of the Executive Committee of the Protest Association, and said there had been 125 present at a previous Stadium meeting, and something over 1,100 present at a later meeting in the auditorium of the City College. He then referred to a bulky petition which lay on the table before the Board, and said it contained the names of 2,500 signers. He then referred briefly to the fact that there had never been any neighborhood objection to the normal uses of the Stadium, and said the only previous protest was against the midget automobile races, the contract for which had been cancelled after complaint to the Board. He said that property values within a radius of one-half mile from the Stadium represented something between eight million and ten million dollars, and the continued commercial use of the Stadium for professional baseball would greatly reduce the taxable basis in the northeast section of the City.

Mr. Windsor then introduced Mr. Evans as legal counsel for the Association. Mr. Evans stated that there were two angles of the situation to be discussed. First, the policy involved in Board action, and second, the legal limitations on the Board's authority. Addressing himself to the matters which he thought should determine Board action from the policy angle, he enumerated

the following:

The nuisance of the electric lights requiring curtains to be drawn to the exclusion of air in the summer months, or curtains up and no sleep.

The constant noise during baseball games of shouting, cow bells and announcements over the loud speakers.

Those who bought homes after the Stadium was completed had no way of foreseeing that lights would ever be installed for night games.

That the City's zoning laws restricted the vicinity to residential use, thereby giving property owners the assurance that they would be protected from commercial activities which placed the City under a moral obligation not to use its own property in the neighborhood for such a purpose.

That any revenue received by the City for commercial uses of the Stadium would be more than offset by heavy losses in returns from property taxes.

That the Oriole Ball Club was a financial organization operated solely for profit, wherefore it was extremely bad policy for the Park Board to place public property at its disposal.

That many property owners in the vicinity were buying under building and loan association mortgages in the neighborhood of \$10,000.00, and that their equity would be gone in case of forced sales.

That the lights and noise, so objectionable at all times, were cruel when there was sickness in the homes.

He appealed to the Board not to make any contract with the Baseball Club for further use of the Stadium until he was advised, as counsel for the Committee, as to the proposed terms.

Mr. Evans closed his talk with a reference to the fact that there had been one or more Court decisions holding that night baseball was a public nuisance.

Mr. Windsor then introduced the following members of the Executive Committee who added some further objections as follows:

Rev. Leslie M. Bowling, of Grace Baptist Church, that the membership of his church would dwindle if the character of the neighborhood were changed.

Mr. Harry W. Gambrill, that the success of the Ednor Gardens Improvement Association in having the Venable Park area about the Stadium graded, top soiled, seeded and planted was being entirely defeated by the destruction of grass, trees and shrubbery.

Mr. Benjamin Chambers, of the Lakeside Improvement Association, that every resident in the vicinity, save one, had signed the protesting petition.

Mr. Frank F. Dorsey and Mr. John H. Jackson, of the Northwood development, that depreciated property values once started would rapidly spread.

Mr. Jacob Gross, that it had been announced in the newspapers by Mayor Broening when the park site was selected for the Stadium, that it would be for the use of the public schools and for sports events and as a municipal field to be offered free for big events.

Mr. Joseph H. Itzel, that commercial use by white money making organizations in the field of sports would inevitably be followed by a demand for use by colored teams which the Park Board could not legally exclude.

Mr. Henry E. Bien, that with property values going down there would be colored investments made for rental to white tenants, and that he was informed that a colored club known as the "Elite Giants" was already seeking Stadium use.

At 8:25 o'clock, P. M., Mr. Windsor said he had no further speakers to introduce and that he hoped, in view of the facts presented, that the Park Board would not sign any contract until its terms were first presented for the consideration of his Committee.



The President of the Board then referred to the popularity of the Stadium as the home field of the Navy Athletic Association, and to the fact that the Notre Dame authorities had recently selected Baltimore for its 1945 game with the Navy over its own Stadium and a more convenient stadium in Cleveland, Ohio. He followed with the statement that, in his capacity of a citizen, apart from his presidency of the Park Board, he did not think very much of the Stadium's use from a commercial angle, and that he did not know of any municipal stadium in the country which had been able to operate on a profitable basis. He said it was true the Board could not draw the color line, and that the needs and demands of the whole community would have to be kept in mind in connection with Stadium use, with due consideration given to the weight of public opinion.

Mr. Evans then mentioned again the hope that the terms of any proposed contract would be made known to the Committee in advance, for possible modifications.

At this point Mr. Windsor asked if any members of the Committee desired to ask questions and further brief statements were made as follows:

By Mr. Fred P. Glose, that the Baseball Club be asked to shoulder some of the disadvantages and losses instead of having the neighborhood property owners carry the whole load, and that games be played only in the daytime. By Mr. Harry W. Gambrill, that the areas on either side of the Stadium be better policed against loud profanity, and that further modifications be made in the loud speaker system. By Mr. Jacob Gross, that any further use of the Stadium for professional baseball be definitely made temporary. By Mr. Frank F. Dorsey, that the creeping paralysis of depreciating property values be checked with such restrictions on the temporary use as would check initial losses. By Dr. Z. Vance Hooper, that within a two block area of the Stadium there were 1,000 homes which continued commercial use of the Stadium would depreciate by \$500.00 each in 1945, and that this loss would never come back. By Mr. Evans, that the use of the Stadium by the Orioles for another year would tend to get the public accustomed to such use and make a change more difficult. By Mr. Harry Y. Wright, that the Oriole Ball Club in recent years had taken no steps to enlarge or improve Oriole Park, and that the Club's predicament was to a large extent its own fault.

At this point, Commissioner Hammerman said the Board's initial action had been based on sympathy for the Orioles in their need for a place to continue their schedule after the 4th of July fire, and that he was sure the President and members of the Board had just as much sympathy for those who were present and for all the property owners for whom they had spoken. He said he had property not so far away and could give assurance that everything possible would be done to avoid a sacrifice of property values. He said he was sure the Ball Club would like to have its own home, but that the Company was blocked by wartime priorities.

Mr. Windsor said he thought the difficulty with priorities could be surmounted by the use of the old lumber in existing grandstands about the City which had been abandoned.

At this point, Rev. Leslie M. Bowling again took the floor to tell a felicitous story and make a reference to the camel getting his nose in the tent and then wanting to come all the way in.

Finally, Mr. Windsor thanked the Board very heartily for having given his Committee the hearing, and the delegation filed out at 8:43 o'clock, P. M.

The Board then continued in session long enough to hear a report by the President that the taking of new bids on the park selling privilege, other than at the Stadium, had resulted in the receipt from the Baltimore Concession Company of a certified

check for \$11,200.00 with a proposal in that amount, which was the only one received.

Upon motion duly seconded it was thereupon unanimously resolved that the proposal be accepted and referred to the City Solicitor for the drawing of contract as required by the specifications.

The meeting was thereupon adjourned at 8:53 o'clock, P. M.

J. V. Kelly  
Secretary

9  
January 5, 1945

MEMORANDA FOR RECORD

The members of the Park Board, Mr. Frank H. Durkee, President, and Commissioners George M. Armor and S. Lawrence Hammerman, (Commissioner Edward Kowzan being absent by reason of news from the War Department that his son had been lost in action), with the Stadium Director, Frank A. Hancock, and the Secretary of the Board, assembled this day at 12:30 o'clock, P. M., in the Merchants Club, at 206 E. Redwood Street, as the luncheon guests of President George W. Reed, of the Baltimore Baseball and Exhibition Company, who had with him the Company's attorney, Mr. J. Kemp Bartlett, Jr., and Mr. Alphonse (Tommy) Thomas, Captain of the Baltimore Orioles.

During and after the luncheon there was a round the table discussion as a result of which there developed a tentative understanding as follows:

1st - That the cuts made in the Park Board's 1945 budget request, first by the Board of Estimates and again by the City Council, would limit construction expenses at the Stadium to the improvement of the public comfort facilities, to the exclusion of other construction changes, demanded by the Ball Club and admittedly desirable, in connection with the use of the Stadium for professional baseball.

2nd - That the use of the Stadium by the Orioles for the season of 1945 was agreeable to the Mayor and the Park Board with the understanding that a prepared statement be made, by the officials of the Club, to the Stadium Neighborhood Protest Committee, that the Club was planning to eventually have its own stadium or baseball park as soon as wartime conditions might be over.

3rd - That the use of the Stadium by the Ball Club for 1945, be under contract to be prepared by the City Solicitor, to whose judgment would be left the request of the Stadium Neighborhood Protest Committee that the terms of the contract be first submitted to the Committee's attorney, Mr. Charles C. G. Evans.

4th - That the rental charge in the contract be 12½% of the gross ticket sales for the season, including any service charge on free admissions, with a minimum guarantee for the season of \$15,000.00, or at the rate of \$250.00 per playing date, (not games), but without maximum limitation.

5th - That the rental paid for the use of the Stadium during the playing season include the use of the Stadium building for the Ball Club's executive offices throughout the year subject, however, to being vacated for the use of the Navy Athletic Association as required in connection with Navy games.

6th - That 55% of the revenue from the Park Board's selling privilege contract of 8¢ per person, shall be credited to the Ball Club and 45% of same to Stadium receipts, and that the Ball Club retain all revenue derived from radio-broadcast advertising.

7th - That the Ball Club be required to arrange its schedule of playing dates so as not to interfere with the Drum Corps use of the Stadium on Labor Day, the 4th of July Celebration on the evening of July 4, the Navy games on October 20, November 10 and November 17, the Washington Redskins football games on September 23 and September 30 nor with the Easter Sunrise Service.



8th - That in the event that the Ball Club expends up to \$10,000.00 for construction improvements, not possible to be made out of the Park Board's 1945 budget, that reimbursement in that amount may be claimed out of any rental in excess of \$25,000.00, provided the Board of Estimates is unwilling to provide funds for the said improvements so as to avoid any deductions from the rental provided for in the contract.

9th - That night ball games be scheduled to commence at 8:00 o'clock, P. M., instead of 8:30 P. M., as during 1944, and that the loud speaker be lowered in volume as much as possible - both for the purpose of reducing to a minimum the annoyance of noise and glare of lights to the neighborhood.

10th - That two special boxes be designated for official use at all ball games - one for the Mayor and the other for the Park Board.

11th - That the Park Board, through the agency of its own police, the regular City police, and such auxiliary police force as it may be possible to muster, will do everything possible to prevent conduct complained of by the Stadium Neighborhood Protest Committee.

12th - That the Park Board will remove the cinders within the baseball-use area, and make such grading changes as will eliminate water puddles, and will keep as much lawn surface in condition as weather conditions will permit.

13th - That the Park Board will keep the playing field and seat sections as free as possible from refuse and litter, provided the work can be done without running a deficit in its 1945 allowance for labor.

J. V. Kelly  
Secretary



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## CITY SOLICITOR'S OFFICE

SUPPLEMENTARY REPORT

January 8, 1948

Mr. Edward P. Roth  
Assistant Claim Manager

IN RE: FREDERICK E. GREEN, ET AL vs. ROBERT GARRETT, ET AL

Dear Mr. Roth :

On January 8th, 1948, I called at 943 Gorsuch Avenue, at which time I interviewed Mr. Charles H. Uhing, who informed me he is 72 years of age and that he has lived at his present address for the past 65 years.

Mr. Uhing stated he did not nor could not recall if any new or improved homes were being erected in the vicinity of the Baltimore Stadium at the time the Stadium was first erected. He did say, however, that there were homes on the south side of 33rd Street, east of the Alameda Boulevard, and he thinks but is not positive that there were homes completed and occupied on both the north and south sides of 33rd Street, west of Ellerslie Avenue.

Mr. Uhing stated that it was his opinion that the Stadium, being erected on the former site of Hertel's brick yard, it certainly improved that particular piece of ground as well as the ground which was unimproved in the vicinity of the Stadium. He stated that shortly after the Stadium was completed, various builders began building operations to improve the surrounding property by the erection of new homes. He stated that certainly the Stadium did not obstruct the building operations of these new homes and it made room for people desiring to live in that particular section.

Mr. Uhing, during our conversation, informed me that when the Baltimore Orioles formerly played at their old grounds at 29th Street and Greenmount Avenue, he heard more noise coming from that ball field than at any time since the Baltimore Orioles were playing at the Baltimore Stadium. He informed me that he would be willing to testify to the above facts but would prefer not to do so due to Captain Itzel of the Police Department being one of the complainants about the Stadium and that Captain Itzel is a personal friend of his. He did, however, state that if he was summoned to Court to testify as to his knowledge of the tract of land where the Baltimore Stadium was erected and its surroundings, he would answer such a summons.

I called to see Dr. H. G. Prentiss of 634 Gorsuch Avenue, at which time I learned Dr. Prentiss was 89 years of age, that he has not practised for the past four years or more, nor has he been able to leave the house for the past three years due to his feeble condition. Both Dr. Prentiss and his daughter, Miss Annette Prentiss, age 45 years, informed me that they did not care to discuss anything regarding the conditions prevailing before the erection of the Stadium nor after same was completed; all they did was to complain about noise before, during and after baseball games from people walking by their home late at night, disturbing their peace and rest. They also complained that in the Summer months, during baseball games when the flood lights are turned on in the Stadium, these lights brighten up their rear porch to such an extent that they can see to read a good print in a book or newspaper. They went on to say that during football games held in the Stadium during the daylight hours, the noise is not as much noticeable nor are they disturbed by the people walking by their home, and it was their opinion that the

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CITY SOLICITOR'S OFFICE

Mr. Edward P. Roth

#2

January 8, 1948

City of Baltimore should not permit any night games in the Stadium.

Very truly yours,

*William G. Vogel*  
WILLIAM G. VOGEL  
Senior Investigator S.

WGV:H

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GENERAL INVESTIGATION  
DEPARTMENT OF LAW

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## CITY SOLICITOR'S OFFICE

January 9, 1948

Mr. William B. Henkel  
Claim Manager

IN RE: SUIT OF FREDERICK E. GREEN, ET AL  
VS. MAYOR AND CITY COUNCIL

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Dear Mr. Henkel:

On Thursday, January 8, 1948, I continued my examination of the minutes of the Board of Park Commissioners and devoted my attention to the minutes starting for the meeting held at 12 o'clock noon of October 1, 1907 at 1409 Continental Building with Major Richard M. Venable in the chair, attended by Commissioners James E. Hooper and General Ferdinand C. Latrobe. The president submitted a report from the secretary showing payments made for land-takings under the Million Dollar Loan amounting to \$306,237.51 and reported land purchases not paid amounting to \$374,000.00, leaving a net balance not spent of this loan \$319,762.49. I was unable to discover at any place in these minutes just what particular property was covered in these purchases.

The second minutes of interest concerned a meeting held at 1:30 p.m. of November 6, 1907 at 1409 Continental Building, with Major Venable in the chair attended by Commissioners John S. Gittings and General Alfred E. Booth. At this meeting the president reported the purchase of the Garrett property north of, and binding on the Holyrood purchase, containing  $2\frac{1}{2}$  acres at \$1,300.00 an acre, in an old deed subject to covenant providing that no building for amusement purposes be erected on the property. Upon motion of Mr. Booth, seconded by Mr. Gittings, the matter was referred to the President, with power to have the scope of the old covenant determined by a friendly suit, if necessary. (See Mayor & City Council Vs. Garrett, 108 Maryland 24). The President reviewed the purchases made by himself and General Latrobe under authority delegated by action of the Board, but postponed a detailed report owing to the absence of General Latrobe.

The next minutes of interest were those dated 1:15 p.m. of December 3, 1907, which took place at 1409 Continental Building, attended by Major Richard M. Venable, President, and Commissioners Latrobe, Hooper, Booth and Gittings. The President submitted a list of all land purchases made out of the One Million Dollar Loan to date, and made a report to the Board of the Committee appointed on May 29, 1907 with power to purchase and take title for land for park extension. The report was accepted and approved. (See Report). I have been unable to locate this report as yet.

At a meeting held at 8:30 p.m. of February 19, 1908, President Venable suggested the desirability of a property book to conveniently show in book form a plat of each of the park areas and a titled description of each. For statement of Million Dollar Loan Account see Letter Book "F", Page 822. An examination of this book was made by me and excerpts of same was taken which will be reported on later.

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## CITY SOLICITOR'S OFFICE

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11  
In connection with the purchase of the Garrett property, I would like to refer you to the City of Baltimore Topographical Survey Map of 1894, which does not show 33rd Street binding along the south side of the Stadium, but it is immediately to the south of Hertel's Brick Yard and you will note that the estate known as Holyrood is immediately south of the Brick Yard.

Mr. Bartlett has this report  
12  
J. V. Kelly was Secretary of the Park Board from 1900 to 1946 and under date of June 1, 1946 he submitted a valedictory report of a 46 year financial statement of the Park Board, showing cash receipts and cash expenditures. A copy of this report is attached and I would like to call to your attention column 6 showing the receipts from the park tax levied against the United Railway Electric Company and the W. B. & A. Railroad. Column 8 shows the total cash deposited with the City Register, column 10 shows the total cash expended. Column 18 shows the operating cost of the Baltimore Stadium beginning with the year 1923 and continuing until the end of the year 1945. However, the construction and improvements made on the Stadium between the year of its construction in 1922 and the end of 1945 is not shown in this column but appears in column 12, titled Construction Improvements, Engineers and Architects, and I am having some difficulty in determining the year by year expenditures for the improvements on the Stadium.

13  
Prior to 1936, the receipts and disbursements of the Park Board was handled exclusively by that department but on January 1, 1936, the receipts and the expenditures were supervised by the Bureau of Accounts and Disbursements. Attached hereto you will find a statement of expenses for the Stadium for the 11 years, from 1936 to 1946, inclusive. This balance sheet is very detailed and may be of interest to the members of the trial division handling the defence of this suit.

14  
Under date of January 6, 1948, Mr. Edwin Harlan, Deputy City Solicitor, submitted a questionnaire to you asking for detailed information on dust control of parking lots, how Stadium was originally financed, original cost of Stadium and lighting, public address system and Orioles revenue. These questions are answered in a memorandum prepared for me by the present secretary of the Board of Recreation and Parks, Joseph J. King, which is attached hereto.

15  
16  
17  
At a meeting of the Park Board on October 17, 1947, a hearing was granted the Stadium Protest Committee, represented by Mr. Wilmer H. Driver, Attorney, and Mr. Harry Y. Wright, Chairman. The results of this meeting are attached to this report. On November 13, 1947, at the request of President Garrett, Joseph J. King, Secretary, wrote to Mr. J. Kemp Bartlett, Jr., Attorney for the Orioles, requesting his presence at a meeting of the Park Board at the Baltimore Stadium for 3 p.m. of November 18, 1947. The results of this meeting are set out in full in the minutes of that date, attached to this report.

18  
I have had photostat copies and duplicates made of newspaper clippings concerning the plans of the City to build a Municipal Stadium, first commented on by the press in an article that appeared in the Sun for December 3, 1921 and continuing for several months thereafter. These photostat copies are attached to this report.



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## CITY SOLICITOR'S OFFICE

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At 10 a.m. of January 9, 1948, I called upon former Park Secretary J. V. Kelly, who now resides at 4422 Pall Mall Road, but who is unofficially connected with the Kelly Buick Sales Company, Charles and Mount Royal Avenue, at his office. Mr. Kelly discussed in detail the original planning and construction of the Stadium and its operation until he was retired by the City. He suggested that amongst other things that a picture showing the undeveloped tract of land upon which the Stadium was built could be obtained by examining the scrap book kept by the Park Board, which is the same picture that appeared in the Municipal Journal for December 8, 1922. Mr. King is to obtain this scrap book for me. Mr. Kelly also suggested an examination of the Property Book kept by former Park Engineer Gross, which is now believed to be in the care of the Park Engineer. I have examined this Property Book and find it now to be in the vault in the Administration Building of the Park Board at the Madison Avenue entrance to Druid Hill Park. I made notations of the entries made in this book which will be commented on later. Mr. Kelly further informed me that the method of filing at the Park Board was under subject matter, with an alphabetical sub-division. All matters pertaining to the Stadium were kept in the Stadium file except communications with the City Solicitor's Office, Chief Engineer and Mayor's Office. These files are so voluminous that it would take days to examine and obtain any pertinent information. I believe that this information has been obtained for me from other sources, but if you think it advisable to peruse this file, I will be glad to do so.

The matter of the need of Baltimore City having a Stadium was first brought to the public attention by Dr. Burdick of the Recreation Board, who suggest to President George Weems Williams, of the Park Board, the building of a Municipal Stadium for recreational purposes. This subject was picked up by the press and received wide publicity and as a matter of fact it became one of the points in the 1919 Mayorality Election. In that election, won by Mayor William F. Broening, he pledged that if elected, a Stadium would be built. Following the election of Mayor Broening, J. Cookman Boyd was appointed President of the Park Board and he, in the year 1921, started the planning of a Stadium. He commissioned Henry F. Perring to plan a Stadium and asked for suggestions for a site. At that time President Boyd declared that we, meaning the Park Board, would provide the land and furnish the funds. A Stadium was then designed to occupy the abandoned reservoir of the Bureau of Water Supply at the Mount Royal Avenue entrance to Druid Hill Park, now occupied by the Luther Monument. After many meetings of the Park Board and the hearing of protests, this site was finally abandoned, due to the protests of Commissioner Hanlon and the threat of Commissioner Felix Agnus to resign, Commissioner Labowitz, at that time, was inactive due to a quarrel with President Boyd. On Saturday, April 8, 1922, a scale model of the proposed Stadium in Druid Hill Park was brought to the Park Board by President Boyd. On that same date Mr. Kelly, in a conversation with Commissioner Agnus, was told of the commissioner's objection to that site and his intention to resign from the Board in protest. Mr. Kelly then privately informed Commissioner Agnus of the Park Board's ownership of the land on the north side of 33rd Street east of Eilerslie Avenue, known as Venable Park. At that time the property was in an unimproved condition and as a matter of fact, Commissioner Larkins of the Bureau of Street Cleaning, was filling in the old clay pits dug by Hertel's wife for the purpose of carrying on their business of brick manufacturing. Mr. Kelly recited that at that time there were no houses immediately to the north, east, west or south of this site, with the exception of a few on Gorsuch Avenue, several blocks to the south. As a matter of fact this land had given the Park Board some concern for a year or so; prior hereto, a boy had drowned in the pond formed in the clay pits.

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## CITY SOLICITOR'S OFFICE

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Commissioner Agnus told Mr. Kelly that he would suggest to Mr. Boyd the substitution of this site for the Mount Royal Avenue site and in order to acquaint the members of the Park Board with his plans, he called for a special meeting at his home for Monday evening, April 8, 1922. This meeting was only attended by members of the Park Board and Mr. Kelly does not know what occurred, but a special meeting of the Park Board was called in Mr. Boyd's Office for Thursday, April 13, 1922. At this meeting Mr. Kelly came in after the Board members had assembled and found them in session with Mr. Perring down on his knees explaining to the Board members a map showing the Venable Park site upon which he was manipulating a scale model of a horse shoe Stadium to determine the best position of the Stadium. At that meeting it was there and then decided to build the Stadium at that location.

The funds for building the Stadium was taken out of the Park Board funds set aside for maintenance of the City Parks and there was no ordinance or enabling act and was determined solely by a vote of the members of the Park Board. All of the work on the Stadium was performed by park labor with the exception of the removal of the ashes placed in the clay pits by the Bureau of Street Cleaning and substitution of earth and the construction of the embankments which now form the sides of the Stadium. In addition contracts were awarded for the construction of drains.

At that time the Park Board operated entirely on funds secured through the park tax <sup>plus</sup> supplementary revenues shown in Mr. Kelly's valedictory report. The park tax at that time amounted to 9% of the gross revenue of the United Railway and Electric Company and the W. B. & A., but later this tax was reduced until it finally reached a minimum of 3%. The actual construction work on the Stadium started in April of 1922 and was completed in time for football games held in the late fall of the same year.

When the Stadium was first planned, wooden seats were provided but it was contemplated to replace these seats with concrete as soon as settlement had taken place and funds were available for their construction. The concrete seats, as you well know, have never been placed. The seating capacity of the Stadium was originally 50,000, but in ~~agreement~~ with the Navy Authority Association, prior to the playing of the Army and Navy game in the Stadium in I believe, the year of 1924, Mr. Boyd reached an agreement with the Association to allow them to sell 50,000 tickets out of which the Park Board was to receive no return. Mr. Boyd at the same time received permission from the Navy to erect 40,000 additional seats and have the Navy Association to issue tickets, for these ~~seats~~ all of which were to be turned over to the City for sale, their entire receipts to be kept by the city for the benefit of the Stadium. The City of Baltimore realized the sum of \$140,000.00, <sup>in the</sup> sale of these tickets, and this sum was also devoted to Stadium improvements. Several years after the Stadium was built, the Administration Building was built out of budget funds.

I asked Mr. Kelly if he knew whether or not any of the members of the Park Board serving during the time the Stadium was built or planned were still alive, and he informed me that Theodore Mottu, formerly in the lumber business, was still alive, as well as Mr. Samuel Labowitz, who was formerly in the wholesale grocery business, but <sup>who</sup> at the time the Stadium was built was inactive in Park Board matters.



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## CITY SOLICITOR'S OFFICE

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Mr. Kelly suggested that an examination be made of City Auditor Beck's analysis of the Stadium's cost and for details that can not be obtained from the Park Department sources. I would like to add that Mr. Kelly is personally apposed to the present use of the Stadium by the Orioles as he considers this use to be apposed to the purposes for which the Park Department property should be used. He is firmly of the opinion that land purchased and improvements provided by the Park Board should be for purely park purposes or for recreational purposes enjoyed by the populace at large with no profit motive. In this connection I would like to recite that he also voiced strong disapproval of the transfer of the part of the Venable Park property to the School Board for the erection of Eastern High School, for the transfer of part of Clifton Park to the School Board for the erection of the Clifton Park Junior High School and the transfer of part of Gwynns Falls Park to the School Board for the construction of Gwynns Falls Park Junior High School on Hilton Street. All of these transfers, according to Mr. Kelly, were made to the School Board without any payment to the Park Board for the loss of park property.

I examined the Ordinance of Estimates for Appropriation for the years 1921-24, inclusive, and found no mention of Stadium expenditures in the Park Boards break down of their expenditures.

In connection with the reference to the acquisition of land that make up Venable Park, I refer you to the deed from Agnes H. Gibier to the Mayor and City Council shown in Liber S.C.L. 3069, Folio 50, dated June 21, 1916; Kate French Taylor by Attorney to Mayor and City Council, Liber R.O. #2380, Folio etc, October 29, 1907; Mary E. Garrett deed to Mayor and City Council, Liber S.C.L. 2416, Folio 310 etc., April 6, 1908.

19 I also recommend that you read Chronology Of The Genesis Of The Baltimore Stadium written by Ichabod Nathan Cognito, which is the pen name of Mr. J. V. Kelly. This chronology is attached.

20 The land purchased by the Park Board on successive dates was for the most part purchased out of the funds of the Million Dollar Loan approved by Ordinance 228 of 1905, which loan expires in 1955. This loan was secured by the park tax levied on the Transit Company. The Park Board kept a close tab on the revenues received by the Transit Company, where I noticed in the minutes of June 6, 1916 that Harbor Engineer McKay reported to a meeting of department heads of the Park Department that the Board of Estimates had employed the accounting firm of Haskins and Sells to make an audit of the United Railways and Electric Company books for park tax purposes. For an early history of the park tax, I refer you to Booklet #4 of the Public Parks of Baltimore, compiled for the Board of Park Commissioners under date of September 10, 1929 by J. V. Kelly. This report was not completed.

21 Mr. Joseph J. King, Secretary of the Park Board, has prepared a resume of the land purchased by the Park Board and now forming Venable Park and the Stadium area. The total land area purchases was 60.592 acres of which 19.148 acres has been turned over to the School Board for school purposes. The price paid for these various tracts of land are also shown on this resume.

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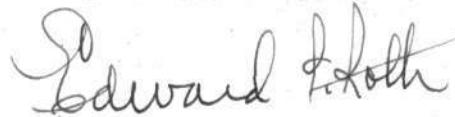
## CITY SOLICITOR'S OFFICE

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Mr. King reported to me that the flood lights on the perimeter of the Stadium are 65 feet above the playing field and the two lights furnished by the Orioles are at a lower elevation. Additional information on this matter will be furnished at a later date.

I have been in communication with Former Mayor William F. Broening and have an appointment to discuss the Stadium with him at his home at 2 p.m. of Monday, January 12, 1948. The result of this interview will be furnished to you at an early date.

Very truly yours,



EDWARD P. ROTH  
Assistant Claim Manager

EPR:eak

DUST CONTROL: (PARKING LOTS)

In last two years 1946 and 1947 dust was controlled on parking lots at Stadium by using calcium chloride (a dust) which was spread on by the Bureau of Highways at the request of the Bureau of Parks. Bureau of Parks pays the bills for this control.

Prior to 1946, the dust was controlled by water sprinkling methods.

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HOW STADIUM WAS ORIGINALLY FINANCED:

During the Mayoralty term of William F. Broening, J. Cookman Boyd was President of the Board of Park Commissioners. Mr. Boyd sponsored and built the Stadium. Considerations began on December 6, 1921 by the Park Board. On April 13, 1922 the Venable Park site was first discussed by the Board. Mr. Boyd obtained the Board's approval of the present location and selected Venable Park. The Stadium was financed in 1922 and 1923 by the maintenance Park budget, which money built the embankment seats. In 1924 from the sale of Army-Navy tickets \$142,000.00 authorized and donated by the Navy was used by Mr. Boyd to construct the elevated seats.

No enabling act, ordinance or loan was passed at any time authorizing special funds for the Stadium.

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ORIGINAL COST OF STADIUM:

- 1 - 1922 (43,000 seats, field, embankments) - \$ 209,323.47  
Ready for first event as of Dec. 2, 1922.
  - 2 - 1923, 1924, 1925 (27,072 elevated seats,  
booths, building, etc.)  
Total Cost Including Above - \$ 574,710.46
  - 3 - At end of 1935 the total cost, including  
above, plus value of land - \$ 669,139.21
- 

LIGHTING:

- 1 - July 9, 1935 minutes reveal installation of lights in seat areas only for seat lighting only at a cost of \$2,300.00, which amount was reimbursed to City by the Greater Northeast Baltimore Association, Inc., in four equal installments, as agreed upon by both parties.

- 2 - In 1939, a contract was awarded to Howard P. Foley Company for installing light poles and fixtures for night games at a cost of \$42,895.00. These poles and lights were in readiness for the Shrine Convention held in City June 26, 1939.
- 3 - Two additional field poles and light fixtures were erected in 1944 by the Orioles at their expense as required in their 1944 agreement with the City.
- 4 - Present lights on embankment poles are 1,000 Watts, height of top of pole from field level approximately 60 feet.

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PUBLIC ADDRESS SYSTEM:

- 1 - In 1939 a public address system was installed for the Shrine Convention to amount of \$4,478.36 paid by Park budget funds.
- 2 - Previous to 1939 a small system was installed about 1935 and added to year by year out of park funds until the general overhauling of 1939 mentioned above.
- 3 - On July 11, 1944 the Orioles management agreed to lessen the loudness of the speaker system because such high volume as used for football was not needed for baseball. Minor adjustments on the system were made in 1944 by outside contract labor as obtained by the Orioles.
- 4 - Amplification system belongs to the City and is under City control. However, the Orioles management is permitted to use the facility during all baseball games.

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ORIOLES REVENUE:

	<u>Baseball Rental</u>		<u>Baseball Concession</u>
1944....\$	53,133.89		
1945....\$	14,250.00	- \$	30,243.89
1946....\$	37,931.78	- \$	66,437.28
1947....\$	26,569.27	- \$	22,108.60



17  
November 18, 1947

Discussion with Stadium Committee Regarding New Construction.

Place: Stadium Administration Building  
Time : 3:00 P. M.

Present: Robert Garrett and J. Marshall Boone, Members of the Board of Recreation and Parks; R. Brooke Maxwell, Joseph J. King and Charles A. Hook, Department of Recreation and Parks; William H. Callahan, William Hilgenberg, Members of the Stadium Committee; Mr. Kooken, of the Faisant Kooken Engineering Company; J. Kemp Bartlett, Jr., Herbert Armstrong, George W. Reed and Alphonse Thomas, of the Baltimore Baseball and Exhibition Company; Robert Rodenberg and Joseph Finnerty, of the Baltimore Colts, and Allen A. Davis, Assistant City Solicitor.

Mr. Garrett called the meeting to order, and stated that the purpose was to have a better understanding of the design of the new Stadium before written agreements were drafted covering the playing of events for 1948.

Mr. Callahan introduced Mr. Kooken to explain preliminary ideas regarding the design and construction of the new Baltimore Stadium. Mr. Kooken said that in order to allow events to be played at the Baltimore Stadium during the construction period a practical way of guaranteeing this would be to start demolition and new construction at the south end of the present bowl, starting from that section of the present stands which would be about on the southern ten yard line of the currently used Navy football field. This section would be near what is now known as Section "G." The present Stadium Administration Building would be demolished and a double decker tier would be constructed of concrete and steel around this lower southern end. In the construction of this lower end approximately 10,500 seats would be lost, leaving approximately 49,200 seats still standing in the untouched northern end. However, when the southern double decker section would be complete it would contain approximately 40,000 seats, which would be a gain of 30,000 over the present lower end capacity. The entire arena would be designed for a maximum capacity of 84,000 seats. While construction is going on at the southern end the northern end would be used for the playing of baseball and football, as usual, but only to a capacity crowd of about 49,200 persons. When the southern end is completed new construction will commence on the northern end. This will necessitate the removal of both the baseball and football fields to the southern end of the Stadium. Temporary fences across the field would be installed during the playing of events. Mr. Kooken also added that the upper deck of seats would act as a roof for the lower deck, but that the upper deck would remain roofless unless later funds were ample to cover it. Under questioning, he stated that work of demolition, grading and other preliminary operations could be started after the first of the year (1948). He also mentioned that a temporary Administration Building would have to be constructed, preferably on the west side parking lot in order to house offices, shower and locker rooms, storage rooms, etc. He said that when the Stadium would be complete the parking facilities would be increased from 20% to 25% over the present capacity. This would result from the removal of embankments and the construction of a perpendicular wall around the periphery of the bowl. He said it was intended to incorporate in the design suitable concession facilities for the dispensing of food and beverages.

The Orioles and Colts management indicated that the playing arrangement which would exist under these conditions would be satisfactory until the new Stadium is complete.



Everyone seemed to be in accord with the approach to the construction problem by Mr. Kooker.

Mr. Garrett called the attention of the Orioles and Colts to the fact that schedules for baseball and football will have to be worked out at a later meeting in order to avoid a conflict of dates among all Stadium sports interests.

ADJOURNMENT:

The meeting adjourned at 3:45 P. M.

Joseph J. King  
Secretary

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SUPPLEMENTAL REPORT CITY SOLICITOR'S OFFICE January 12, 1948.

Mr. Edward P. Roth,  
Assistant Claim Manager.

IN RE: FREDERICK E. GREEN, ET AL vs. ROBERT GARRETT, ET AL

Dear Mr. Roth:-

On Monday, January 12th, 1948 I called at the Eastern Highschool at which time I talked with Miss Laura J. Cairnes, Principal of the school. Miss Cairnes informed me that ever since the Eastern Highschool Building was constructed on the grounds opposite the Baltimore Stadium they have had trouble with vandalism in and about the school both during the school period and summer months.

She stated that whenever they observed any vandalism at the school she would call the Northeastern District Police Substation, Hamilton 5100, who would then dispatch police to the school in reference to her complaint. Immediately she would also notify the Administration Office of the School Board. She stated that this vandalism consisted of globes broken on lights of poles erected on school grounds and this was of such a great extent — *EXTENT* it was impossible to replace same. She stated there are no globes — *globes* on the lights and have not been for sometime but whenever there is some function at the school during the night several globes are placed on these lights but removed the following day. She also stated that glass in windows has been broken on numerous occasions and one winter shortly before Christmas an evergreen tree was removed from the grounds by some unknown person. She stated this occurred before the baseball games were held in the Baltimore Stadium but there is still vandalism occurring at the school. *STILL*

Miss Cairnes stated that it was her opinion there was no more destruction to the property of the school and grounds during the games than if no games were held at the stadium except that after each professional football or baseball game the grounds of the school building are littered more than usual by people partaking in these games *walking* over the grounds. *walking*

She stated that during such professional games there is quite a bit of automobile parking in their driveway of the school grounds but this parking is not objectionable except when a few automobiles from time to time park on the grass plot at the east end of the building. She states this condition has been greatly curtailed through the action of the police assigned about the school grounds during such games. She stated that people not only walk over the grass of the school grounds before, during and after games but most daily people walk over these grounds or grass plots including boys from the Baltimore City College.

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## CITY SOLICITOR'S OFFICE

I then called to see Dr. Philip H. Edwards, Principal of the Baltimore City College who advised me that vandalism has occurred in and about the school property and grounds since the building was erected. Whenever vandalism is discovered he calls the Northeastern District Police, Belair Road Substation who dispatch police to the school to investigate such vandalism. He also immediately notifies the Administration Office of the School Board. Dr. Edwards states that people in making short cuts walk over the grass plot of the school grounds day and night throughout the year and that litter is found on the grounds most of the time.

He thinks this condition is aggravated whenever there are night games held in the Baltimore Stadium due to a greater number of people using the school grounds for short cuts. He stated that during professional football games held in the Baltimore Stadium during the day cars not only park in the driveway but at times park on the grass plot adjacent to the driveway. He states this condition has been greatly curtailed due to the action taken by the police assigned to the school grounds during such games but it is necessary that he keep the police reminded before such games are held.

Prior to March 1943 at which time I was transferred to my present position I was assigned to the Department of Education, Maintenance Division. During my employment in the department I was commissioned as a special police by the Police Commissioner of Baltimore City and it is of my personal knowledge that vandalism has occurred at these two named school buildings over a long period of time and conditions were of such a nature during the years of 1938 and 1939 that it became necessary for the Department of Education to detail me in and about these two school buildings during the summer months between the hours of 6 P. M. and 2 A. M. Although there were no games in progress at any time during the summer months of these two years I know of my own personal knowledge of the number of people walking across the ground of the two buildings late at night and early morning hours and mostly teen age boys who were looking for an opportunity to do some damage. There were also petting parties late at night and early mornings on these two school grounds and I was kept busy getting these people off the school grounds at night to prevent damage.

During the same period of time the grounds were littered by paper due to people bringing paper up on the school grounds which paper was used to sit upon on both the grass and brick steps. After these people would leave they failed to pick up the paper and therefore the wind would scatter the paper over the grounds.

On a night of a heavy rainfall I often found young couples in the covered stairway in the rear of the Baltimore City College and on each occasion I was compelled to have them leave the school grounds.

As these grounds and buildings are public property I was unable to deprive the public during hot summer nights in using

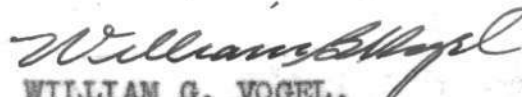
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## CITY SOLICITOR'S OFFICE

the school grounds for the purpose of getting relief from the heat and I did not disturb any who remained in an orderly manner.

You will note all of this occurred before the Baltimore Orioles began their games in the Baltimore Stadium and as stated above there were no night games held in the stadium during those two years.

Very truly yours,

  
WILLIAM G. VOGEL,  
Senior Investigator.

WGV:CB

# COPY

## CITY SOLICITOR'S OFFICE

January 14, 1948

Mr. William B. Henkel;  
Claim Manager  
Central Bureau of Investigation

In Re: SUIT OF FREDERICK E. GREEN et al.  
VS.  
ROBERT GARRETT et al.

Dear Sir:

22 I have secured a topographical map of the stadium site prepared by the City Surveyor and dated April 27, 1922, which indicates that the property afterwards used in the building of the stadium was hilly and totally undeveloped. This map was obtained from Mr. Hecker, the present City Surveyor.

23 I also examined the aerial photographic map of Baltimore City and the Metropolitan area taken by the Chesapeake Aircraft Corporation in 1925 and copywrited in 1927; Page 32 and Page 33 show that there was very little developed area even at the time the photograph was taken both north and east of the stadium. These maps are in the possession of Mr. George Kelly, Design Engineer of the Bureau of Sewers and can be made available to this office at the time this case is tried. In the meantime, I would suggest that one of the Assistant City Solicitors assigned to the defense of this suit examine this map.

24  
25 Attached you will also find two 1914 maps of the area surrounding the stadium which have not been marked in any way and show the undeveloped character of the land where the stadium is now situated. Two copies of the topographical map of 1894 were also secured.

26 At the time the stadium was first discussed, J. Cookman Boyd was President of the Park Board and Edward Hanlon, General Felix Agnus, Theodore Mottu and Samuel Leibowitz were Commissioners. Henry G. Perring was at that time Chief Engineer of the City and he was delegated by the Board of Park Commissioners to prepare the plans for the Stadium. I particularly call to your attention a resolution of the Board of Park Commissioners on the use of the stadium with particular reference to the playing of baseball in the stadium recorded in the minutes of January 6, 1925, Page 317, Paragraph 2. I have had the resolution and the discussion that followed copied in full and it is attached to this report. I found in the minutes of October 1, 1926, Page 471, Paragraph 2, that the Park Board proposed to charge SIX THOUSAND DOLLARS for the use of the stadium for the Navy-Michigan Football Game held on October 30, 1926.

27 Mr. Joseph J. King is preparing for me a list of all events held in the stadium since its completion in chronological sequence.

I called on former Mayor William F. Broening at his home on Fairview Avenue and Grantly Street at 2:00 P.M., January 12, 1948. Mr. Broening informed me that his first recollection of the mentioning of the stadium was made by Dr. Nivers, then a chaplain in the Marine Corps, formerly of Christ Church. Dr. Nivers asked if it



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## CITY SOLICITOR'S OFFICE

would be possible for the City to build a stadium in which the Army football game between Army and Marines could be played. The matter was referred to the Board of Park Commissioners. The original intention was to build the stadium at the Mt. Royal entrance to Druid Hill Park and for that purpose part of the embankment of the reservoir was to be used. An immediate protest was voiced by individuals and neighborhood groups lead by the Mt. Royal Improvement Association whose objection to the stadium being located at this point for fear it would depreciate property values and cause a traffic congestion. An engineering study of the stadium developed that this site could not accommodate more than forty thousand seats. For this reason and because of the number of protests, it was decided to seek its site elsewhere and the second location considered was the reservoir in Clifton Park just north of the Baltimore and Ohio Railroad. The third and final site selected was at Venable Park.

27A  
21B

During the time these discussions were taking place, Mr. Broening declared that he held a meeting in the reception room of the Mayor's office for all interested athletic groups. This meeting was enthusiastically attended including the Mt. Royal group and it was felt from the attitude of these various groups that a stadium was needed in Baltimore. This feeling was further supported by a request made by General Smedley Butler of the Marine Corps, who asked that the City provide an athletic field seating twenty-five thousand persons for a football game to be played by the Army and Marines as an annual event. This discussion took place at a luncheon meeting in the Emerson Hotel. Mr. Broening's first recollection of the suggested Venable Park site was at a meeting called at General Felix Agnis house on Eutaw Place several days before the actual site was selected. At this meeting all members of the Park Board agreed that this location would be ideal and Mr. Perring who was present also voiced the thought that this location would very well accommodate a stadium of the size thought advisable by the Board Members. The members after voicing their approval voted that the stadium was to be built at this location with funds to be taken out of the regular budget of the Park Board. A meeting was held shortly thereafter in Venable Park at which time Mr. Broening was requested to break the ground. It was decided at that time that the work was to be performed almost entirely by park labor and was to be completed in time for the Fall game between the Army and Marine Corps. Mr. Broening stated that one of the primary reasons for selecting the Venable Park site was the almost total absence of any improvements in the neighborhood and the thought of himself and the Board Members was that it would enhance property values and encourage building in the neighborhood.

In the original plans of the stadium, it was thought advisable to build the seats of wood because of settlement that would undoubtedly take place in the embankment but it was contemplated to construct seats of concrete as soon as possible and to take the cost of this building out of the income.

The first contest held in the stadium was the Army and Marine game attended by General Butler and five thousand marines and spectators to the number of approximately sixty-five thousand. The proceeds were divided one-third to the Marine Corps, one-third to the Army and one-third to the Park Board.

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## CITY SOLICITOR'S OFFICE

Mr. Broening stated that the idea of building a big structure was to be able to house the largest events held in this country and to provide as full a program as possible in order to get as many people as possible out of doors. Both the board and himself were mindful of the fact that the big structure would be costly and for that reason it was contemplated to extend the use of the stadium to all seekers within reason in order to make the operation of the stadium self-sustaining. Mr. Broening added that the building and operation of the stadium was an activity of the Park Board and the entire cost would be paid out of the budget with no general tax money being used at the time of its original construction and early maintenance. There was no ordinance nor enabling act but merely a vote of the Board of Park Commissioners to build a stadium without any restriction being placed on the board by himself or the City Council. When Venable Park was first viewed by the board and himself, the site was unimproved and the area around it undeveloped and no protests were made about the selection of the site.

Prior to the building of the stadium, the Army and Navy Athletic Association had an agreement providing that no service game between the two institutions would be played north of New York and south of Philadelphia. The Park Board decided to secure the Army-Navy game for Baltimore. He accompanied the board to a meeting in Philadelphia between the two athletic associations in which he requested the associations to be heard on the request of Baltimore to hold an occasional game at the Baltimore Stadium. As a consequence of this request the restrictive rule was modified providing that games could be allowed as far south as Washington. The Navy then selected Baltimore for the game held in 1924. Mr. Broening informed me that in his second administration from 1927 to 1931, the Marine-Firemen games were held at the stadium.

On Tuesday, January 13, 1948, I interviewed Mr. Theodore Mottu, who lives at the Greenway Apartments, Apartment 319, and who is the surviving member of the Park Board at the time it was contemplated to build a stadium. This interview took place in my office. Mr. Mottu informed me that the question of a stadium was one of the campaign issues between the Democratic candidate, George Weems Williams and the Republican candidate, Mr. William F. Broening in 1919. Mr. Broening committed himself to the building of a stadium. Nothing of a concrete nature occurred however, until the Fall of 1921, when the question of a stadium again became of paramount interest. The first site selected was Mt. Royal entrance to Druid Hill Park but because of neighborhood objections together with the limitation on the size of the stadium, it was thought advisable to secure a site elsewhere. The second site considered was the reservoir in Clifton Park, but before this site could be fully discussed, the Venable Park site was suggested and adopted.

Mr. Mottu inspected the site and found that the land was totally undeveloped being weed grown and according to information furnished him by one of the board members, there was a quarry hole on the property but Mr. Mottu admits that he did not inspect the land sufficiently to verify this fact. The land had never been used for general park purposes and there was no development near there except for some houses on Gorsuch Avenue. When the plans to build a stadium at this location were publicised there was no objection either by people living in the general vicinity or by the public at large.

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- 4 -  
CITY SOLICITOR'S OFFICE

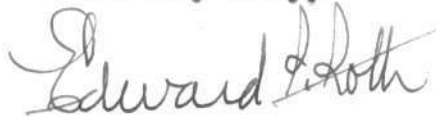
The question of a stadium was then of paramount interest to the public and it was receiving very wide-spread newspaper publicity and it was quite evident that Baltimore wanted this stadium. His recollection is that the Board wanted to make the stadium self-supporting and to that end they planned to hold all Navy games and other big events in the stadium. The thought at that time was to hold as many large football games and to conduct other outdoor civic activities in the stadium as possible. It was <sup>not</sup> contemplated by the Board Members that the stadium would be used for either professional baseball or football merely because that subject had not been raised at that time. The Board Members did not contemplate night games or broadcasting for the reason that such a thing had never occurred.

In my discussion with former Mayor Broening and Mr. Mottu, I found both of these gentlemen to be extremely alert mentally and should you desire to use their testimony, I believe it would be of extreme value to you to show the intention of the administration at that time to make as wide-spread use of the stadium as possible.

27A  
27B  
Mr. Hecker, the City Surveyor is preparing a series of maps for me the first of which will show in red the homes and give the identity of the persons named as complainants in this bill. The second map will show in red these complainants together with any other persons objecting to the present use of the stadium and in blue will show the homes of those persons favoring the use of the stadium. A third map will show in blue the homes of those persons in favor of continuing present use of the stadium. Two of these maps are being prepared for me, one of which shows the improvements surrounding the stadium in 1922 and the second map will show the improvements as of July 1, 1944, in one color and a second color will be used to show those improvements that have taken place in the interim.

I will call at the <sup>office of</sup> Faisant and Kocken, 347 N. Charles Street, who have some of the City's maps in preparation of the improvements to be made at the stadium, to see if any of these maps will be of interest in the trial of this case.

Yours very truly,



EDWARD P. ROTH  
Assistant Claim Manager

EPR:T

76  
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CITY SOLICITOR'S OFFICE January 6, 1925.

The Board met this day in regular session.

Place: Board Room, Gay and Lexington Streets

Time: 3:10 o'clock p.m.

Present: J. Cookman Boyd in the Chair,  
Edward Hanlon,  
General Felix Agnus,  
Theodore Mottu,  
William I. Norris.

George L. Nichols, General Superintendent of Parks.

General Agnus said he had a subject to bring up which was very annoying to him and after reviewing the fact that members of the Board were toiling without recompense for the public good and doing everything in their power to give the people of Baltimore the fullest use and enjoyment of the most up-to-date park system in the country, he asked the Secretary to read the following resolution:

"WHEREAS: It is much to be regretted that the Baltimore News is attempting to start an agitation to build a baseball diamond and tennis courts in the Baltimore Stadium and to throw same open at all times for a public playground, irrespective of the harm that would be done to Baltimore's most widely and favorably known athletic structure, a Stadium that was built as were other Stadiums, comparable to this throughout the country, primarily for football events, and as such was the cause of bringing to our city only a month ago the classic football event of the whole country which resulted in advertising our fair city so wonderfully throughout the whole United States, and which event could only have been brought here because of the high standard of its maintenance, which standard could not have been maintained had it been permitted to be used as the News is now urging, and,

WHEREAS: by reason of the fact that the public athletic facilities in the public parks of Baltimore alone greatly surpass any other city in the country, facilities which comprise 115 tennis courts, over three dozen baseball diamonds, four public running tracks, five public swimming pools, several football, soccer and lacrosse fields, children's playgrounds in all the parks and large squares of the city, and all the parks thrown open for playgrounds to both young and old of the city, there is not need that this beautiful structure, the pride of the people, should be thrown open for events never contemplated at the time of its erection, but which would cause a deterioration greatly in excess of the benefit thereby to be derived as well as imperil the safety of the children who might thus be permitted to use it; and,

RESOLVED: that it is the policy of this Board that the Stadium not be thrown open at all times, but shall be used in the future, as in the past, for such events only as are worthy of its importance, each event to be determined separately and on its sole merits."



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CITY SOLICITOR'S OFFICE

When the reading was concluded Commissioner Agnus said he would like to add a resolution of thanks to the President of the Board for the manner in which the Stadium was being handled.

The President deprecated the vote of thanks and said he would prefer to have the Resolution as read, acted upon.

Commissioner Norris stated that while he favored the general purport of the resolution, he desired to offer a substitute which was along the general lines of the original resolution, but without the preamble, which was as follows - That the Park Board was desirous of the fullest possible use of the Baltimore Stadium and wished to assure the Baltimore News and the citizens of Baltimore generally that the Board would be pleased to consider on its merits any application for its use, to the end that the uses of the Stadium might be as wide as possible, consistent with the purposes originally intended.

The President asked if there was a second to the amendment and Commissioner Hanlon said he would second it.

The President then reviewed the circumstances leading up to the agitation undertaken by the Baltimore News which was inspired, he said, by a speech of Mr. Howard Bryant, made before a Poly-City audience, in which Mr. Bryant took a miserable advantage by bringing before appreciative listeners a reference to the ticket distribution at the last City-Poly game. He said the City-Poly Athletic Associations had been extended every favor possible for their first game at the Stadium in 1923, without cost to them, and with park employees serving at one half pay so that the net proceeds to be retained by the schools would be as large as possible. He said these proceeds amounted to about \$17,000.00 and for the first time put the Athletic Associations upon an assured financial footing. He said the two schools were given the use of the Stadium for the 1924 game upon the same conditions and that when the Mayor had asked him as President of the Board, if there would be any complimentary tickets, he replied that there would be because such tickets had been sent without request in 1923. He said he personally did not care about the tickets and would not have thought of the matter except for the Mayor's inquiry. He said the General Superintendent of Parks and the Stadium Director went to see the school officials about the apparent oversight and that



# <sup>-3-</sup> COPY

## CITY SOLICITOR'S OFFICE

even before he had received a report in the matter those in charge of the tickets had rushed to the newspapers and he was held up to the public as having demanded the tickets for himself. He said the whole agitation was based upon this attack and was a miserable attempt on the part of the News to help its circulating department by trying to get the children interested and thereby sell its papers.

With reference to the uses of the Stadium generally, he said the Board had unanimously decided not to provide baseball facilities after obtaining expert advice, not only from Commissioner Hanlon who was familiar with the mud holes in the Polo Grounds and at Washington where baseball fields were used for football, but also from the athletic authorities at Yale, Harvard, Annapolis, West Point, and Quantico. He said ample running track facilities had been provided at the Stadium, but that the running track facilities in adjacent parks and throughout the Park System gave the fullest opportunities for such athletic games. He recalled that the Stadium had not only been used for football games, but for Boy's Week and Girl's Week; for events held under the auspices of the Baltimore News; for polo on the 4th of July 1924 when less than 4,000 went to the Stadium notwithstanding it was a holiday and the field was so greatly damaged as to make any further use of it for that purpose out of the question; for an army tournament which cut up the field in such manner that Major General Muir and his aides expressed their great regret and admitted that no further exhibitions of that character ought to be allowed in the future; for Defense Day Exercises in 1924; for the P. F. P. Games, and even for a Fashion Show. He said the Fashion Show was not held because its promoters after obtaining permission to use the Stadium under suitable restrictions, were unable to raise the necessary funds, and the plan was abandoned. He said the great damage done to the playing field by the polo players and by the Army tanks at the tournament was commented upon the Army officials who were present and they told him they would never apply again for the use of the Stadium for such a purpose.

In building the Stadium, he said, the Department had provided facilities for water supply and electric lighting in anticipation of uses requiring

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## CITY SOLICITOR'S OFFICE

display fountains or special lighting effects, and that the Board had been at all times in favor of the largest possible use of the Stadium consistent with the purposes for which it was built.

The President said he would have been willing to vote for the Resolution offered by Commissioner Norris had General Agnus not first introduced his; that the purport of the two resolutions was the same, and that he favored the Agnus motion only because it was more comprehensive in that it set forth the reason for the Board's attitude.

The discussion being ended the President asked for a vote on the substitute resolution as an amendment and the same was lost by a vote of 3 to 2 - Commissioners Norris and Hanlon voting in the affirmative.

A vote was then taken on the original resolution which was passed by a vote of 3 to 2 - the President, Commissioners Agnus and Mottu voting in favor thereof.

Commissioner Mottu thereupon moved adjournment which was taken at 4:55 p.m.

J. V. Kelly,  
Secretary.

May 11, 1936

Mr. J. V. Kelly, Secretary  
Board of Park Commissioners,  
Druid Hill Park  
Baltimore, Maryland

Dear Sir:-

Please refer to your letter of April 16th in which you request an opinion as to whether charges for admission to City-owned swimming pools and golf courses, and to the Baltimore Stadium, are taxable under Chapter 10 of the Laws of Maryland 1936.

As to charges for admission to City-owned swimming pools and golf courses, it would seem, under the authorities, that it was not the intention of the Legislature to extend the statute to include these operations of the Mayor and City Council of Baltimore acting through the Board of Park Commissioners.

While the language of the statute, literally construed, is broad enough to cover the cases in point, nevertheless the result of applying the tax to these municipal operations would be inconsistent with the main purpose of the statute, repugnant to the general rule of construction which excludes the property and operations of municipal corporations from general tax laws, and would create more or less impractical and unreasonable conditions in the administration of the taxing statute.

In my opinion, therefore, the statute does not apply to charges for admission to City-owned swimming pools and golf courses. As this opinion, however, depends upon the question of construction, the only manner in which its validity can be tested is to refuse to pay the tax and to invite the State to institute legal proceedings for its collection.

With reference to athletic events held at the Baltimore Stadium under "use permits" issued by the Park Board, a different question is presented. These events have not the character of municipal functions, but are conducted as private enterprises by licensees, or permittees, of the Park Board. Charges for admission to such events are, most probably, taxable under the Act.

I suggest that the Park Board insert a special clause in the "use permits" issued for such events to the effect that the permittee, or licensee, shall be responsible for the payment of all Federal, State and City taxes incident to the use of the premises.

Very truly yours,

(Signed)

R. E. L. Marshall

City Solicitor

BOARD OF PARK COMMISSIONERS

BALTIMORE

COPY

February 1, 1939

Mr. Charles C. G. Evans  
City Solicitor  
217 Court House  
Baltimore, Maryland

Dear Sir:

The Board of Park Commissioners is confronted with the necessity of installing a permanent modern lighting system at the Baltimore Stadium, primarily for the purpose of so enlarging its recreational and other uses as to make it an asset to the City financially, as well as otherwise, and particularly to have the Stadium in shape for use for the Shrine Convention in the summer of 1939.

The plans and specifications prepared indicate that the cost of installing the lighting equipment will be in excess of \$50,000.00, but under \$75,000.00

Since funds in this amount are not available in the 1939 Park budget nor elsewhere, so far as is known, in the Ordinance of Estimates for 1939, it would seem necessary to advertise for bids under specifications which would provide for the payment of \$5,000.00 on the completion of the work in 1939, and for four subsequent equal annual installments which would cover the entire cost within four years, or by the year 1943 - all payments after 1939 to be provided for in subsequent Park budgets.

The Park Board desires to have an opinion from you as to whether this plan is legally feasible, or whether it would be more feasible to allow the installation on the basis of the Park Board paying an annual rental of say \$5,000.00 per year which would include amortization of the cost, and if not, what plan you would advise the Board to follow.

Very truly yours,

JVK-L

J. V. Kelly



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## SUPPLEMENTAL REPORT #1 CITY SOLICITOR'S OFFICE

January 14, 1948

Mr. Edwin Harlan  
Deputy City Solicitor

In Re: Frederick E. Green, et al vs. Robert Garrett, et al

Dear Mr. Harlan:

28  
Supplementing my report of January 7, 1948 with regard to the above-entitled case, attached hereto you will find records of reports made out on Police Form 95 by Northeastern Police District Officers Roland J. Fullem (two sheets), Chester S. Kotowski, James M. Leverton (two sheets), Peter J. Cacano, Edwin A. Rytina, John Blume and Joseph Jarowski. The reports were made out by these various officers, who patrol in radio cars, at the request of Lt. Gribbin for the purpose of ascertaining the number of summonses to the Traffic Court for illegally parking in the alleys in the rear of the homes adjacent to the Stadium at or during the time of the playing of the various contests held there. These records run from August 21, 1944 up to the Winter of 1947.

A spot check of these reports for the year 1947 discloses that most of these summonses for illegal parking in the alleys aforementioned were made during the daytime playing of the Navy and Colts football games. One officer, namely, Peter J. Cacano, whose Summons Violation Book was not available to him, estimates that from July, 1944 to September, 1947 he tagged approximately seventy-five cars for illegal parking.

Lt. Gribbin states that an exact number of the said illegal parking violations cannot be ascertained because all of the Summons Books are not available to the patrolmen and for that reason the records with regard to the exact number of arrests are not known. The number of summonses recorded by these officers on the attached reports were taken either from the Summons Books that were available to them or from personal records kept by some of the officers, and in other instances by an estimate from memory. I have not attempted to have these reports copied, but in the event that you desire copies made, kindly advise.

7  
Attached hereto is an exhibit headed "Stadium Scheduled Events, 1947", which was copied from a schedule that was furnished to me by Mr. Guckert, Assistant Manager of the Stadium, and purports to list all the events scheduled for the year 1947 at the Baltimore Stadium. He stated that all of the football games played by the Navy and Colts were played during the daytime. All Baltimore Oriole baseball games that were played on Sundays were

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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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January 14, 1948

played during the daytime; double header twilight games were played on Tuesdays and they began at 6 o'clock in the evening, while all the other games scheduled on weekdays were played at night and began at 8 P.M. He stated that all of the high school football games, with the exception of the City-Poly and Loyola-Calvert Hall games, both of which were played during the daytime, were played at night. All Sunday football games between high school teams were also played in the daytime.

29  
Originally I was requested to check with Mr. M. Frank Fitzpatrick of the Bureau of Assessments for the purpose of having him prepare a chart disclosing every house within a two-block area around the Stadium proper and to show thereon the various assessments against each of these properties for the last three assessment periods, which I subsequently learned were made in 1934, 1941 and in 1947. Mr. Fitzpatrick immediately assigned Mr. George J. Kolb, Real Property Assessor, who resides at 1317 West Lombard Street, to prepare this chart for this office and he, Mr. Kolb, will be the proper person to testify in this matter if needed with regard to the records that he has compiled. You will remember that I brought down one of these records to you several days ago and it was found that the work being prepared was so voluminous that it was decided not to take each house within the two-block radius, but to spot check certain houses in each particular block, and particularly those blocks in which the Complainants in the above-entitled case resided.

These charts will disclose, in addition to the various assessments on the properties, sales made in the various blocks prior to 1944 and, when available, subsequent to 1944. Mr. Kolb also prepared on separate sheets spot checked sales, both prior and subsequent to 1944, in other blocks within this area that were not completed, as per your instructions. An examination of these records will disclose that, with but few exceptions, reported sales of the properties in this area were for sums much greater after 1944 than what they had been previous to 1944. There are instances where properties sold for more than double the selling price prior to 1944.

I might say at this point that the amount of the sale price after 1944, and more particularly after June, 1947, might not be absolutely correct, because the sale price as computed by Mr. Kolb was predicated on the revenue stamps that were attached to the various deeds. Mr. Kolb is prepared to explain his method of computing the purported sale price and while it is true that since June, 1947 that a sale price set down by him could be as much as \$499.00 out of the way, he does not believe that in any instance it would be that far from the correct sale price. He explains that the reason for this is that since June, 1947 stamps were sold in multiples of \$500.00 rather than in \$100.00 multiples, as they were formerly sold.

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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

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January 14, 1948

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During my discussions with Mr. Kolb, in view of the fact that the petitioners were alleging that their properties had depreciated in value, it was decided to examine the records of the Bureau of Assessments to ascertain whether or not any of the Complainants named in this case had ever petitioned for a reduction of the assessment on their property. Mr. Kolb has made an examination of their records and attached hereto are four petitions for reductions in the names of three of the Complainants, one of whom, Walter K. Harrison, 759 East Thirty-sixth Street, filed two petitions--one in June, 1939 and the other in June, 1940. The other two are in the names of Lee E. Staples, 920 East Thirty-sixth Street, and Frederick E. and Minnie C. Green, 1200 East Thirty-third Street. An examination of these petitions, the originals of which are attached hereto and must, after they have served your purpose, be returned to the Bureau of Assessments, disclose that in no instance was the request for reduction of the assessment made on the grounds that their property had been depreciated because of their proximity to the Stadium or any of the nuisances now alleged. Mr. Kolb does state that Mr. Green, who was one of the persons making such an appeal and succeeded in having his assessment reduced, did use as one of his arguments before the Appeal Tax Court the fact that he was compelled to build a stone wall in the front of his house at 1200 East Thirty-third Street in order to protect his property, because of the people going to and from the games walking over his lawn and damaging his property. Mr. Kolb states that he did not hear this testimony, but had heard someone else who was present at the time say that this was one of the arguments made by Mr. Green in asking for a tax reduction. He stated that he believes that this testimony is <sup>not</sup> written up and thought that if it were transcribed it might disclose the above-stated fact.

Mr. Green is the only person in the 1200 block of East Thirty-third Street whose assessment shows a substantial reduction and in examining the Bureau of Buildings records I learned that Mr. Green did take out a permit from the Bureau of Buildings on April 4, 1945 to erect a 59 foot wall in front of his property at an estimated cost of \$400.00. At my request the Buildings Engineer re-inspected this wall and I was subsequently informed by Mr. Walter W. Ford, Chief Buildings Inspector, that prior to the erection of the wall in front of Mr. Green's house in 1945, there was a wall which ran along the entire side of his property and that the newly installed front wall joined this old wall. However, it is interesting to note that Mr. Green's petition for a reduction in his assessment was filed on October 27, 1943, which was just two months after he acquired the property, which was on August 23, 1943. You will note further that in the petition which he filed he was petitioning for the reduction solely on the grounds that he had paid but \$13,500.00 in fee for the property and that the house was in need of moderate repairs. The tax records disclose that in 1941 and prior to its being reassessed in 1947, the improvements were assessed at \$12,500.00 with a \$2950.00 ground rent, or a total of \$15,450.00. In 1947 when it was reassessed, it was reduced to \$13,800.00 and was apportioned land \$3300.00, improvements \$10,500.00.

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## CITY SOLICITOR'S OFFICE

Mr. Edwin Harlan

-4-

January 14, 1948

31  
I am also attaching to this file the Bureau of Buildings Permit #B29497 for the permission to Mr. Green to erect the brick wall in front of his house. After this copy of the permit has served your purpose, it is requested that it be returned to the Bureau of Buildings.

I would recommend that Mr. Kolb be interviewed by one of the trial men to go over the records compiled by him to ascertain the manner in which they were compiled and more particularly with regard to the method used in arriving at the sale price recorded on these plats by him. Mr. Kolb has had considerable experience with regard to assessment of properties and of comparative values and may be desired by the trial counsel to sit in during the whole trial to spot check for you any of the witnesses that might be called to testify with regard to depreciation of property value because of the Stadium and for the purpose for which it is now used.

During discussions with Mr. Kolb with members of this office, it occurred to me that objection might be made to the introduction of Mr. Kolb's records and testimony on the grounds that even though the prices listed for the sales subsequent to 1944 are correct that they would not be admissible on the grounds that had not the Stadium, together with the nuisances complained of, been in this particular location, the property owners might have sold them for figures much higher than those obtained. For that reason I suggest that some thought be given to having an outside real estate expert that could be used to refute testimony of this kind and thereby make admissible the information that is to be furnished by Mr. Kolb.

Very truly yours,



SAMUEL R. DI PAULA  
Assistant Claim Manager

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Supplemental Report CITY SOLICITOR'S OFFICE January 14, 1948.

Mr. Edward P. Roth,  
Assistant Claim Manager.

IN RE: FREDERICK E. GREEN, ET AL vs. ROBERT GARRETT, ET AL

Dear Mr. Roth:-

On January 14th, 1948 I interviewed Mr. Charles A. Kuhnert, 510 Old Orchard Road, Ten Hills, Maryland, telephone Gilmor 6394.

Mr. Kuhnert was employed with the City of Baltimore from the year of 1934 to March 15th, 1946, the date of his retirement. Mr. Kuhnert advised me that he was assigned to the Baltimore Stadium from the year 1935 to the date of his retirement and that his classification was that of a chauffeur but he acted in the capacity as assistant to General Frank A. Hancock, Director of the Baltimore Stadium.

Mr. Kuhnert stated that from the year of 1935 to the year of 1938 or 1939 when flood lights and the public address system was installed in the stadium for the purpose of holding night events they did not receive any complaints from the neighborhood as prior to the time the flood lights and public address system was installed only daytime events including football games were held in the stadium.

He stated that shortly after these lights and public address system was installed the midget automobile races were held in the stadium and they began receiving complaints from that time until the time that he was retired. He stated that no complaints were received during football games held during the day nor of football games held by the highschools at night.

He did say, however, that the Baltimore Orioles began using the stadium in July 1944 and after the Orioles began using the stadium for their games they received a number of complaints during such baseball games held both day and night. He stated the complaints were not so much of the noise made by spectators but regarding the loud speakers and flood lights. Shortly after these complaints started to come in in great numbers a clause was inserted in the contract with the Baltimore Orioles that no inning of a game could be started after 11:15 P. M.

He stated they also received complaints of people in the vicinity of the stadium after the baseball games complaining of people walking over their lawns, shrubbery and using the lawns as out-houses. He stated that there were many complaints by neighbors regarding debris thrown on their lawns and a general complaint regarding the dust emanating from the parking lots adjacent to the stadium. He stated he would turn these complaints over to General Hancock who, in turn, would make a complaint to



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## CITY SOLICITOR'S OFFICE

Mr. Leroy Nichols, General Superintendent of Parks. Mr. Nichols made arrangements with Mr. Fannon of the Bureau of Street Cleaning to water the parking lots both north and south of 33rd Street before baseball games during dry weather. He stated he did not at any time receive any complaint regarding automobiles parking in alleys or driveways in the vicinity and there was no record kept of these complaints due to the fact that in most cases the people making the complaints refused to give their names.

He stated that these complaints came in only during and after the Oriole Games and he estimates that he received from 25 to 30 complaints a season regarding the dust from the parking lots and received on an average of one dozen complaints each and every night during the Oriole Games regarding noise from the loud speakers. He also stated that he received a dozen or complaints during the season regarding people using the lawns in the vicinity of the stadium.

In regards to the flood lights he received complaints mostly from the residences of people living on 36th Street but these complaints were not made every night.

Mr. Kuhnert further advised that on complaints regarding the public address system he personally made inspections by going out to the Northwood Section of Loch Raven Boulevard and also out into Clifton Park where he observed this public address system could very well be heard at these locations and it was necessary for him often to go to John Noonan, the foreman of the Electric Division who had charge of amplification of the public address system and the lights to ask him to turn the amplification of the loud speakers down due to complaints. He further stated that Mr. Winfield Courts was the engineer in charge of the loud speakers. He further advised that shortly after the Baltimore Orioles began the use of the Baltimore Stadium they received numerous complaints but these complaints seemed to decrease as time went on and up to the time of his retirement in 1946.

Very truly yours,

*William G. Vogel*  
WILLIAM G. VOGEL,  
Senior Investigator.

WGV:CB

I have read this report and find the statements contained herein are those which I made to Mr. Vogel on January 14th, 1948.

Signed: *Charles A. DeWitt*

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## CITY SOLICITOR'S OFFICE

January 21, 1948

Mr. William B. Henkel  
Claim Manager

IN RE: SUIT OF FREDERICK E. GREEN, ET AL,  
VS. ROBERT GARRETT, ET AL

Dear Mr. Henkel:

33 On one of the maps prepared for the purpose of showing the complaints to the use of the Stadium by the Orioles, I have the homes of the persons listed as the complainants on Plaintiff's Exhibit #15, shown in red and added to this list were those members of the Stadium Neighborhood Ptroest Committee who appeared before the Board of Park Commissioners on December 11, 1944, that resided within three blocks of the perimeter of the Stadium grounds. The home of Rev. Leslie M. Bowling, 1600 E. 32nd Street, John H. Jackson, 1221 Southview Road and Benjamin Chambers, 1506 Windemere Avenue, are not shown as they are beyond this area. I find that three persons are now named on the list submitted as Plaintiff's Exhibit #15 and who were formerly protestants, they being Dr. Z. Vance Hooper, 3534 Ellerslie Avenue, Harry Y. Wright, 1318 Lakeside Avenue and William D. Gentry, 1106 E. 36th Street. In addition on the same map are shown those persons who are in favor of the continued use of the Stadium by the Orioles.

34 With reference to the power of the Board of Park Commissioners to lease park property, please see a letter dated May 7, 1947, addressed to Mr. Joseph J. King, Executive Secretary, by Simon E. Sobeloff, contained in our file #80876, a copy of this letter is attached.

35 Mr. King also made a digest of the court decision of Edward Hanlon, et al., vs. Albert A. Levin, dated May 22, 1935, having to do with the question of leasing the park property, which is attached.

The first reference to the building of a Stadium appears in the Park Board Minutes of December 6, 1921, page 176, paragraph 2 to 8 inclusive, presided over by President Boyd and attended by Commissioners Hanlon, Agnus, Mottu. At this meeting the subject of building a Stadium on the site of the abandoned reservoir near the Mt. Royal Avenue entrance to Druid Hill Park, was discussed as well as the objection to persons residing in the immediate neighborhood. The principal objection was to the traffic hazard that would likely be caused by the increased number of vehicles congregating in this area together with the smoke nuisance from the adjoining railroad yards and the thought of the neighborhood protestants that the building of a Stadium at this location would depreciate property values.

In the minutes of January 3, 1922, held by the Park Board at the office of President Boyd, Charles and Lexington Streets, set out on page 179, paragraph 2, the matter of plans and drawings prepared by Chief Engineer Henry G. Perring, was brought up for discussion.

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## CITY SOLICITOR'S OFFICE

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The minutes of February 7, 1922, shown on page 182, paragraph 5, discusses a communication received from First Branch City Councilman Edward S. Stanley, Chairman of the Committee on Parks of the Council, informing the board that a hearing would be held in the Council Chambers on February 13, 1922, relating to the use of the Mt. Royal reservoir as a Stadium site.

36 The minutes of April 13, 1922 held at President Boyd's office, discussed fully the matter of the proposed Stadium and for your information I have had those portions of the minutes relating to the Stadium copied and they are attached to this letter.

In the minutes of November 7, 1923, page 272, the sinking fund for the One Million Dollar Loan, providing for redemption in full, is referred to by the Board. Attached to my letter of January 14, 1948, I have attached the full minutes of the Park Board meeting of January 6, 1925, concerning a resolution on Use of Stadium and the action that took place following the introduction of this resolution.

A provision for a charge of \$6,000.00 for the use of the Stadium for the playing of the Navy-Michigan Game on October 30, 1926, is discussed in the minutes of October 1, 1926, page 471, paragraph 2.

Chief Engineer Henry G. Perring was heard by the Board as reported in the minutes of May 2, 1922, on the cost of excavation and moving of the materials. (See page 180). Commissioner Mottu reported that 6.95 acres of land had been purchased in Venable Park at a cost of \$3,000.00 per acre to extend the lines of the park as reported on page 191, paragraph 2. Mayor Broening, who joined the meeting, asked if Engineer Perring had submitted his report, he was told that the calculations and proposals had been submitted which would result in certain recommendations being made to the Board at its next meeting. (See page 191, paragraph 7). A letter was then read of S. Stewart Johnson, dated April 17, 1922 congratulating the Board upon its happy solution on the Stadium problems, (selection of the Venable Park site), page 193, paragraph 6. A communication of the Board of Estimates reporting the approval of the employment of Henry G. Perring, Chief Engineer, to supervise the building of the Stadium as recommended by the president of the Board is set out on page 193, paragraph 11. A letter of James H. Shea, 631 Gorsuch Avenue, dated April 7, 1922, regarding the issuance of permits for the ball ground in Venable Park was reported and referred to the superintendent of parks for routine attention. (See page 193, paragraph 12).

In the minutes of June 6, 1922, page 196, paragraph 4, the application for selling concession of the Venable Park from Joseph A. Starr was read and extension requested by him was disapproved. At this same Board meeting the subject of street car transportation to the Stadium was introduced and is set out in full on page 197, paragraph 3. The employment of engineers for the Stadium work can be found on page 197, paragraph 9.

A petition of the 1922 Graduating Class of Poly Technic Institution praying that the Poly-City Game be held in the Stadium in November 1922, is reported in the minutes of July 18, 1922, page 201, paragraph 13 and 14.



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## CITY SOLICITOR'S OFFICE

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President Boyd replied it would be impossible to complete the Stadium before the Army-Marine Game in December and he also mentioned the fact that when the game was secured a committal had been made that the game would be an inaugural event. The secretary was then told to advise the Polytechnic graduates that the Stadium would be complete in time for the Army-Marine Game and would not be available for the Poly-City Game. Further comments about the street car service to the Stadium is reported on page 204, paragraph 1. Bids for construction of the concrete wall around the playing field and drainage work at Stadium is noted on page 204, paragraphs 3,4,5, and 6.

The minutes of September 5, 1922, page 205, paragraphs 2 to 6, relating to problems arising out of construction difficulties. On page 208, paragraph 5, Mr. Mottu inquired what had become of the motion picture taken when the Stadium construction was commenced and the President said it was being shown in all of the parks during the present week. (An effort is being made to locate this film). The progress of building seats and the concrete wall was outlined to the Board by Chief Engineer Perring in a letter of August 22, 1922, page 208, paragraphs 6 and 7. President Boyd commented on a recent trip to inspect other parks in other cities and he, on page 208, paragraph 7, declared that the building of the Baltimore Stadium was attracting attention in these cities and was spoken of as an important undertaking. In the meeting held on October 3, 1922, an application to hold a Professional Football Game on December 9, 1922, was read and I have had the paragraph relating to this application shown on page 213, paragraph 10, copied and incorporated in this letter. "An application dated September 14, 1922, upon behalf of the Baltimore Football Club for permission to use the Stadium in Venable Park, on Saturday, December 9th, for a game with Jim Thorpe's Oorang Indians, was reported and after due consideration, the Secretary was directed to notify the applicant that no definite arrangements for the use of the Stadium could be made at the present time."

General Agnus, at a meeting held November 7, 1922, commented on the change in the name of the Stadium and for your information I am setting out below this entire paragraph found on page 215, paragraph 2. "General Agnus thought some action should be taken looking to the official naming of the Stadium in Venable Park, and said the newspaper use of the name 'Venable Stadium' was not very satisfactory. He explained that the name 'Venable' was without any significance outside of Baltimore and that the name 'Baltimore Stadium' would be much more in keeping with the importance of the Stadium as an advertisement for Baltimore City. He said he desired to see this name officially adopted. The President explained that the name 'Venable Stadium', had been used only in a tentative way, and had been suggested by him only after General Agnus had suggested it be called 'Boyd Stadium', when the Board's selection of the site had been made public, and that he was heartily in favor of the name 'Baltimore Stadium', which already had been used upon the cut for the official program. He said the naming might be allowed to go over until the Stadium was completed and dedicated on December 2nd." A report to the effect that work on the Stadium was progressing and it would be in order for the Army-Marine Game, can be found on page 216, paragraph 5.



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## CITY SOLICITOR'S OFFICE

-4-

In the minutes of December 15, 1922, shown on page 217 and 218, every matter of interest concerning the Stadium are reported and I have had these minutes copied and they are attached to this letter. On page 219, paragraph 3, "The Mayor congratulated the Board upon the way the Stadium building was handled from the time the question was first taken up to its completion and dedication on December 2, 1922."

My attention was called to the fact that the Baltimore Professional Football Club played Jim Thorpe's Oorang Indians on December 9, 1922 in the Baltimore Stadium and since the chronological list of events furnished me by the Board of Park Commissioners, incorrectly gave the date of the Army-Marine Game as December 22, 1922, the thought was expressed that this Professional Football Game was the inaugural event held in the Stadium. I found that in complying this information the stenographer writing it had taken the 22 to indicate the date of the game whereas it should have been applied to the year. With this corrected information, it would indicate that the football game was the second event played in the Stadium. I questioned Mr. J. V. Kelly, former Secretary to the Board of Park Commissioners and his first reaction was that Hugh Trader of the News Post, who had furnished this information, was crazy. Mr. Kelly, after I called his attention to the fact that the game had been verified by newspaper accounts, relented enough to say that the game was probably so sparsely attended and the receipts so small as not to merit notation in the Park Board's accounts.

Mr. Harlan asked me to secure information relating to the elevation of the flood lights above the playing field and I had the Engineering Department of the Park Board determine that the elevation of the playing field is 215.00 and the elevation of the ramp at the top of the Stadium, which is at the base of the tower, is 250.00 feet. This would indicate that the base of the towers are 35 feet above the playing field and the top row of lights is 87 feet above the base. This measurement was taken on the center lights consisting of 56 units, which are the highest in elevation, whereas the end lights are only of 32 units. The elevation of the lights furnished by the Orioles, in back of the third base line, is only 65 feet above the playing field.

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Mr. Joseph J. King, Present Secretary and Mr. J. V. Kelly, former Secretary to the Park Board, prepared for me a statement showing Stadium revenue from 1922 to 1947, inclusive, which was submitted under date of January 17, 1948, a copy of which has been furnished to Mr. Harlan. At the same time I obtained a complete break down of revenue received from the Baltimore Stadium from December 2, 1922 to December 31, 1943. With this information, together with previous accounts showing earnings and disbursements for the Baltimore Stadium, I prepared a chart, an original and seven of which were placed in Mr. Harlan's hands on Monday, January 19, 1948.

41  
A number of photographs taken of early events held in the Baltimore Stadium, were secured from the Engineering Department of the Park Board and are attached. These photographs are only of general interest.

42  
A review was made of a number of files in this office having to do with Stadium affairs, and I would call your attention to matters that I think of interest. In file #77107, I call your attention to the first lease between the Orioles and the City prepared in July of 1944, in which there is an explanatory statement of the power and authority to maintain and operate the Baltimore Stadium.

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## CITY SOLICITOR'S OFFICE

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44  
45 In this same lease, paragraph<sup>12</sup>, there is a notation that the playing of Professional Baseball in the Stadium is a non-violation of Zoning Ordinance. From this file I also obtained a complete copy of the Park Board minutes of July 5, 1944, referred to in my letter of January 8, 1948, page 1, paragraph 4. I particular call your attention to the letter of Attorney Charles C. G. Evans, dated January 12, 1945, addressed to Frank H. Durkee, Board of Park Commissioners, in which he sets out in full the complaints of persons living in the neighborhood of the Stadium and I noticed that a number of these complaints are almost verbatim with some of the counts in the Plaintiff's Declaration. A copy of Mr. Evans letter is attached. There is also a copy of City Solicitor, Simon E. Sobeloff's opinion concerning the Park Board's ability to make contracts, dated February 2, 1945 and addressed to Honorable C. M. Kelly, President of the City Council. In this file can also be found copies of 1945 and 1946 contracts between the Orioles and the Board of Park Commissioners.

46 In file #78588 there is a letter addressed to Mayor Theodore R. McKeldin by W. A. C. Hughes, Jr., the date of which should be June 29, 1945, requesting the use of the Stadium by the Baltimore Elite Giants and the reply of the President of the Board of Park Commissioners.

47 Former City Solicitor, Robert E. Lee Marshall, under date of December 22, 1934 wrote to former Mayor Howard W. Jackson, giving his opinion as to the legal status of the Stadium in the matter of its control and operation. This information is contained in file #62972 and also gives the opinion of Assistant City Solicitor Ernest F. Fadum, dated November 21, 1934 and December 12, 1934, from which Mr. Marshall wrote his opinion.

48  
48F In file #63764 there is a copy of an agreement between the Mayor and City Council of Baltimore and the Greater Northeast Baltimore Association, Inc., having to do with the use of the Stadium for 4th of July celebration. This matter is further related to in file #67446.

49 A copy of the contract for the lighting system at the Baltimore Stadium can be found in file #70471.

50 The question of the Park Board's power to grant exclusive privilege for broadcasting football games played at the Baltimore Stadium, is discussed in Mr. Davis' opinion contained in file #63828.

Very truly yours,

*Edward P. Roth*  
EDWARD P. ROTH  
Assistant Claim Manager

EPR:eak

51 NOT LISTED  
52 "  
53 "

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## CITY SOLICITOR'S OFFICE

April 13, 1922

The Board met this day in regular session postponed from Tuesday, April 4th.

Place: Office of the President, Charles & Lexington Streets.

Time: 3:30 O'clock P.M.

Present: J. Cookman Boyd in the Chair  
Edward Hanlon  
General Felix Agnus  
Theodore Mottu

(Superintendent of Parks, Charles R. Jones, also was present)

(NOT COPIED)

There being no other reports, the President addressed himself particularly to the representatives of the newspapers, by saying that he had an announcement to make for the Board, upon the subject of a Stadium.

He reviewed the history of the agitation to have the Mt. Royal Reservoir converted into a stadium, and the work done by the Chief Engineer of the City, Mr. Perring, in cooperation with the Engineer of the Park Board, in working out plans and ascertaining the cost of the grading and other work required to make the reservoir adaptable.

He said the Board had been governed all along by a desire to know, First: Whether the general public desired a stadium; and Second; What the public thought the character of the stadium should be; and that, aided by the newspapers, the Board had been convinced that the people did want a stadium and that they wanted one of a character creditable to Baltimore. He said the Board had given most careful consideration to the reasons advanced by a comparatively few who were opposed to the proposition and to the residents in the neighborhood of the Mt. Royal Reservoir, whose opposition was directed chiefly to the reservoir site, the principal objection being that the smoke and dirt from the railroad nearby would make the use of the stadium there disagreeable. This objection, he said, did not have any weight with the Board because the objectors had elected to establish their homes there, and seemed satisfied with the desirability of the location but that as the reservoir plans were developed, it was found that a seating capacity of 40,000 could not be provided without material changes which would double the cost and place the undertaking beyond the means available. He said the excessive cost objection applied also to a site proposed at Wyman Park in the Stony Run Valley, and that the site so strongly urged in Clifton Park, besides being costly, would require the destruction of a playfield, accommodating twelve baseball diamonds, all in much greater demand than a stadium would be.

The President then announced the selection of a site in Venable Park, on the unimproved area lying north of 33rd Street. He described the proposed stadium, in accordance with a preliminary design made by Chief Engineer Perring, and said the Board

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## CITY SOLICITOR'S OFFICE

had further decided to name the structure "Venable Park", and to have the name of 33rd Street changed to Venable Boulevard, both in commemoration of the late Major Richard M. Venable, who had done so much to further the extension of the Park System during his service as President of the Board.

The President said he wanted publicly, to thank Mr. Perring, Chief Engineer of the City, for the assistance and cooperation that had been, and was being given to the Board.

At this point the Board recessed until 5 O'clock P.M., during which time the plans were studied and discussed.

Engineer Perring having pointed out the desirability of having the stadium playfield located due north and south, the President appointed Mr. Mottu and Mr. Hanlon, a Committee with power, to extend the north line of Venable Park by the purchase, if reasonably possible, of additional land, as might be required.

(NOT COPIED)

At 5:25 O'clock the Board adjourned.

J. V. Kelly,  
Secretary.



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37

CITY SOLICITOR'S OFFICE

December 15, 1922

The Board met this day in regular session.

Place: Office of the President, Charles & Lexington Streets.

Time: 2:30 O'clock P.M.

Present: J. Cockman Boyd in the Chair  
Edward Hanlon  
General Felix Agnus  
Theodore Mottu

Geo. L. Nichols, Assistant to the President.

The President reported that a long and fairly satisfactory talk had been had with the officials in charge of the Princeton-Naval Academy football game for 1923, and that subject to the details of the engagement, it was practically assured that the game would be played in the Baltimore Stadium. He said it was brought out in the discussion that an allowance of only 7,000 tickets was made to the Franklin Field for the use of that field by the West Point and Annapolis Teams, but that the tentative agreement covering the use of the Baltimore Stadium would give the Park Board the use of two boxes and twenty percent of the gross receipts - all tickets to be sold. Out of the twenty percent the Board would pay for the printing of the tickets and compensate the ushers and ticket takers.

The President said it was also agreed that if the demand for tickets, within a reasonable time before the game, showed the necessity for additional seats, a minimum of 15,000 extra seats would be provided by the Department.

The President reported further that Mr. Van Ormand and Mr. Keys of the Hopkins University had been in to see him with reference to the use of the Stadium on Thanksgiving Day. He was explaining that the terms covering the use of the Stadium would be practically the same for the Hopkins game when, at 3 O'clock P.M. the Mayor joined the meeting, accompanied by Major F. K. Ross, Recreation Officer of the Third Corp Area, and Mr. Chas. L. Ornstein, the Third Corp Athletic Director.

The President outlined the situation, as already reported, and after some discussion, it was agreed that the following schedule be adopted.

September 29th	- (open)
October 6th	- Army
October 13th	- Army
October 20th	- (open)
October 27th	- (reserved)
November 3rd	- Army
November 10th	- (open)
November 17th	- City College & Polytechnic Institute
November 24th	- Army-Marine (tentative)
November 29th	- Hopkins-Maryland State
December 1st	- Army-Marine (if game is not played November 24th)

Definite terms for the use of the Stadium were given to the Army officials present, and the President said he thought that except for the reservation of boxes

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## CITY SOLICITOR'S OFFICE

J-4-R and J-4-L, that all tickets should be sold, and the Department given 25 percent after expenses of the game were deducted.

General Agnus said he thought a certain number of tickets should be reserved for the use of City officials, and Major Ross suggested that the selling price of such tickets might be deducted from the 25 percent. The President said he thought it would be wiser not to make any reservations except the two boxes referred to, and there followed a discussion as to the nature of the expenses to be deducted from the gross receipts, and that expenses, if any, should be borne by the Department.

It was finally agreed that the Park Board be given 25 percent of the net proceeds, the Army to pay all expenses, including ticket printing; ticket selling commissions; ushers; gatekeepers; attendants, and every item of expense, except the field cost. It was agreed after discussion that no concessions other than the sale of programs would be permitted.

The Board unanimously agreed to the official name "Baltimore Stadium", and it was explained how in the beginning that the name "Boyd Stadium" had been suggested, but due to the President's unwillingness, and at his suggestion, the name "Venable Stadium" had been tentatively used because of its location in Venable Park. The President said the official name "Baltimore Stadium" would give wider publicity to the city and be in every way more suitable than a name having no significance, except to Baltimoreans.

Reference was made to some newspaper mention of flooding the field for ice skating, and it was reported that the net-work of porous tile drain-pipe under the field would make this impossible. The President said this was but one reason why it could not be done, but that there were many reasons why it should not be done.

General Agnus brought up the subject of going after the Army and Navy game for 1923, if possible, and 1924, for certain. General Agnus said that the invitation already extended by the Mayor had been replied to in a receptive way and that he felt sure that a proper following up would bring the big game to Baltimore.

The Mayor asked about the appointment of a Committee and it was agreed that a Committee, representative of the City and its railway and hotel accommodations should be appointed, and a conference arranged for. The personnel of the committee was left in the hands of the Mayor.

( NOT COPIED )

The Mayor congratulated the Board upon the way the Stadium building was handled, from the time the question was first taken up to its completion and dedication on December 2nd.

The Mayor next submitted a number of bills covering expenses for a luncheon given by him incidental to the opening and dedication of the Stadium and indicated certain bills totalling \$2,913.75, which he thought, were properly chargeable to the receipts from the game. He explained how the various obligations had been incurred through agencies cooperating in the reception and entertainment of the visiting soldiers and marines, and showed how only about one half of the total expenses incurred by him, was included in the \$2,913.75.

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## CITY SOLICITOR'S OFFICE

General Agnus moved that the bills be approved and paid out of the Stadium receipts, and the motion was seconded by Mr. Mottu. The President expressed his disapproval, and discussion followed as to the necessity for the expenditures and the propriety of paying them out of park funds. Mr. Mottu said he thought all of the bills were perfectly justifiable and inseparable from the opening and dedication of the Stadium. Mr. Hanlon said he was glad to see how successfully the opening game had turned out financially and said he thought the expenses readily followed. He favored paying the bills.

The President said he would not vote against the motion made by General Agnus, but would be satisfied with expressing his opinion that the only money properly payable out of park funds, was money expended by the Park Board, as was not the case in this instance. He said he was not objecting to the expenditures themselves, as incurred by the Mayor, and did not wish to be so understood. He cited the fact that notwithstanding the Stadium was a municipal project redounding to the great interest and benefit of the City generally, that it was desired to make the Board pay for work done there by the Water Department, although the same, under the circumstances, should be done without charge to the Board.

The motion to pay the \$2,913.75 was thereupon declared adopted.

( NOT COPIED )

Discussion was diverted to the question of selling a portion of Venable Park for a school building site and the President reported that he had told the President of the School Board that any offer coming from the Board of School Commissioners to pay a fair market value for the property would be, in view of the fact that the offer came from so important a coordinate branch of the city government as the Department of Education, entitled to most careful consideration.

( NOT COPIED )

The President was also authorized and directed to have Mr. Josias Pennington, the architect, prepare plans for a permanent building at the Stadium.

At 5:40 O'clock P.M. the Board adjourned.

J. V. Kelly,  
Secretary.



Year	STADIUM REVENUE			
	DEPOSITED RECEIPTS	STADIUM EARNINGS	DEPOSITS OVER EARNINGS	DEPOSITS UNDER EARNINGS
1922	-----	\$13,602.12	-----	\$13,602.12
1923	\$33,870.56	26,063.07	\$7,807.49	-----
1924	49,645.49	48,733.07	912.42	-----
1925	9,928.84	5,046.63	4,882.21	-----
1926	6,128.98	6,138.98	-----	10.00
1927	1,466.72	6,085.90	-----	4,619.18
1928	10,210.74	5,581.56	4,629.18	-----
1929	8,984.84	8,984.84	-----	-----
1930	13,277.92	14,430.92	-----	1,153.00
1931	7,758.46	7,624.32	134.14	-----
1932	2,164.35	1,829.87	334.48	-----
1933	5,953.93	5,953.93	-----	-----
1934	1,763.68	1,590.08	173.60	-----
1935	7,566.68	7,566.68	-----	-----
1936	11,322.11	11,343.26	-----	21.15
1937	6,745.11	6,745.11	-----	-----
1938	8,214.75	8,218.73	-----	3.98
1939	19,120.15	19,314.38	-----	194.23
1940	11,471.90	11,461.57	10.33	-----
1941	22,711.07	22,711.07	-----	-----
1942	32,706.19	32,706.09	.10	-----
1943	29,365.93	29,365.93	-----	-----
1944	91,259.56	91,259.56	-----	-----
1945	84,049.40	83,896.39	153.01	-----
1946	141,829.52	141,829.52	-----	-----
1947	123,190.51	123,190.51	-----	-----
	\$740,707.39	\$741,274.09	\$19,036.96	\$19,603.66

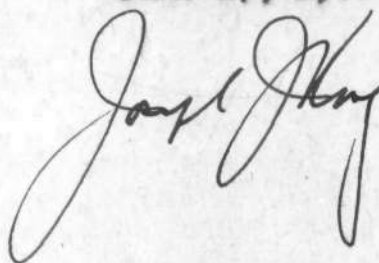
Deposits are under earnings by \$566.70

This is explained by J. V. Kelly by the fact that certain items which he determined as Earned Stadium Revenue for a particular year may have been deposited and applied to some other account and not to the stadium account, part explanation may be due to clerical errors of bookkeeping in entering cash deposits in the wrong account, and also because of anticipated revenue being at times higher than the actual amount deposited due to lowering or cancellation of rentals or permitted deductions before actual deposits were made.

In view of the fact that the column entitled DEPOSITED RECEIPTS is the ACTUAL MONEY the CITY RECEIVED, the more accurate figure to use is \$740,707.39.

The STADIUM EARNING column is merely to show the money earned at the Stadium for events of each year; but the revenue for each event each year was not always DEPOSITED and accounted for in the YEAR THAT THE EVENT WAS HELD, but, as often happened, was deposited and accounted for in the following year. This can be especially noted in the early years of the Stadium from the tables above presented

Submitted by: J.V. Kelly, and  
Joseph J. King  
Jan. 17, 1948





EARNINGS AND DISBURSEMENTS FROM BALTIMORE STADIUM

YEAR	STADIUM EARNINGS	RECEIPTS FROM ORIOLES	EXPENSES	CAPITOL EXPENDITURES
1922	13,602.12			209,323.41
1923	26,063.07		800.00	
1924	48,733.07		19,504.12	
1925	5,046.63		15,728.30	*365,386.99
1926	6,138.98		13,755.26	
1927	6,085.90		35,141.21	
1928	5,581.56		43,920.89	
1929	8,984.84		53,466.33	
1930	14,430.92		40,592.42	
1931	7,624.32		32,416.04	
1932	1,829.87		9,173.26	
1933	5,953.93		26,365.92	
1934	1,590.08		10,466.85	
1935	7,566.68		13,871.64	*94,428.75
1936	11,343.26		50,923.42	
1937	6,745.11		33,419.43	
1938	8,218.73		35,490.31	
1939	19,314.38		49,646.77	
1940	11,461.57		46,372.83	60,954.32
1941	22,711.07		61,481.08	758.40
1942	32,706.09		38,486.10	
1943	29,365.93		37,639.82	
1944	91,259.56	53,133.89	60,639.14	
1945	83,896.39	44,493.89	76,875.15	25,844.00
1946	141,829.52	104,369.06	145,312.46	4,409.10
1947	123,190.51	48,677.87	59,253.52	16,343.29
TOTALS	741,274.09	250,674.71	1,010,742.27	777,529.26

\* The Capitol Expenditures in 1925 include improvements made in 1923, 1924, and 1925.  
Capitol Expenditures in 1935 is the total cost between 1925 and 1935.

COPY

52

CITY SOLICITOR'S OFFICE

Thomas N. Biddison  
XXXXXXXXXXXXXXXXXXXX

January 9, 1947

Mr. Edwin Harlan,  
Deputy City Solicitor,  
Court House,  
Baltimore, 2, Maryland

Re: Frederick E. Green, et al.  
vs. Robert Garrett, et al.

Dear Mr. Harlan:

Reference is made to your letter of January 6 listing seven deeds to the Mayor and City Council of Baltimore alleged in paragraph 19 of the Bill of Complaint as comprising the Stadium property and asking me to check the deeds and see whether or not they contain any restrictions concerning the present use of the Stadium by the Baltimore Orioles for a baseball park.

I have examined all of the deeds referred to and none of them contains any restriction as to use.

I have further checked the title reports covering the property acquired by each of the deeds and do not find in the reports any reference that the property is subject to restrictions other than the land acquired from Mary E. Garrett, et al. by deed dated April 6, 1908 and recorded among the Land Records in Liber S.C.L. 2416, folio 310, (file 6944). The report covering the Garrett property recites that it had been subjected to restrictions in one of the early deeds in the chain of title. The file further shows that a friendly proceeding was brought by the owner against the City for specific performance of the contract. The lower court decreed specific performance. The City appealed and the Court of Appeals (108 Md. 24) held that the restrictions were not uniform and had been violated and that they were no longer operative as to the property in question.

Attached hereto is survey plat referred to as "Venable Park" on which plat I have outlined in different colors the properties acquired by the City under the aforementioned deeds.

If you require anything further regarding this case, I will be at your service.

Very truly yours,

LGMCA:R  
Enclosure

*Lloyd G. McAllister*  
LLOYD G. McALLISTER,  
Assistant City Solicitor

49  
BOARD OF PARK COMMISSIONERS

BALTIMORE

COPY

February 1, 1939

Mr. Charles C. G. Evans  
City Solicitor  
217 Court House  
Baltimore, Maryland

Dear Sir:

The Board of Park Commissioners is confronted with the necessity of installing a permanent modern lighting system at the Baltimore Stadium, primarily for the purpose of so enlarging its recreational and other uses as to make it an asset to the City financially, as well as otherwise, and particularly to have the Stadium in shape for use for the Shrine Convention in the summer of 1939.

The plans and specifications prepared indicate that the cost of installing the lighting equipment will be in excess of \$50,000.00, but under \$75,000.00

Since funds in this amount are not available in the 1939 Park budget nor elsewhere, so far as is known, in the Ordinance of Estimates for 1939, it would seem necessary to advertise for bids under specifications which would provide for the payment of \$5,000.00 on the completion of the work in 1939, and for four subsequent equal annual installments which would cover the entire cost within four years, or by the year 1943 - all payments after 1939 to be provided for in subsequent Park budgets.

The Park Board desires to have an opinion from you as to whether this plan is legally feasible, or whether it would be more feasible to allow the installation on the basis of the Park Board paying an annual rental of say \$5,000.00 per year which would include amortization of the cost, and if not, what plan you would advise the Board to follow.

Very truly yours,

JVK-L

J. V. Kelly

19



## CHRONOLOGY OF THE GENESIS OF THE BALTIMORE STADIUM.

As Recorded in Newspaper Headlines, With Annotations,  
Disclosing Secret of Location on Thirty-third Street.

By Ichabod Nathan Cognito

In the Baltimore Morning Sun of November 27, 1921, appeared the following headlines:

"Mayor Urges Huge Stadium." "Considering Various Sites About City for Athletics." "Mt. Royal Reservoir Proposed by Boyd." "Engineer Megraw Says Basin Is Permanently Out of Water Service."

Under these headlines the President of the Park Board, Mr. J. Cookman Boyd, was credited with having "revived a suggestion made some years ago that the Mt. Royal reservoir be converted into a Stadium seating 30,000 or 40,000 people."

Searching the records back ten years for such a suggestion, the Secretary of the Park Board found no mention of a "stadium," but he recalled definitely that some time prior to the election of Mr. William F. Broening as Mayor, in the Spring of 1919, Director William Burdick of the Public Athletic League, had been present at a meeting of the Park Board held in the President's private office in the Maryland Trust Building, and had made reference to the need for a playing field, with grandstand seats, in one of the public parks where athletic contests might be staged and championship games played. When he found the following minute taken at a meeting of the Board held in the Maryland Trust Building on September 3, 1917, he felt sure he had located the date:

"Business was suspended to hear Director William Burdick, of the Public Athletic League, who outlined a number of park improvements which he thought should be provided for in the 1918 park budget."

Here was evidence, but not proof, of the beginning date of Stadium history in Baltimore. Mr. Boyd was present at the meeting referred to, and it is fairly certain that Dr. Burdick mentioned the Mt. Royal reservoir. The Board's coolness to the proposal, under President Williams, resulted in a rumor during the 1919 mayoralty campaign, in which Mr. Williams was the Democratic candidate, that Mr. Broening's election would mean a Mt. Royal reservoir stadium - a matter of keen interest to first-time voters. Yet Mr. Broening's term was more than two years gone when a post-World War upsurge of rivalry between military service football teams put life into the proposal, and put "Stadium" into newspaper headlines in a big and lasting way.

But the Park Board Secretary had a hazy recollection that the first mention of a "Stadium" in the newspapers was much earlier. By running the index in the volume of Park Board minutes kept by him during the first decade of the twentieth century, he found a record of a letter before the Board at a meeting on October 3, 1910, asking for an opinion on a proposed ordinance appropriating \$5,000.00 for a "Stadium" in Patterson Park. The letter was from City Engineer, Benjamin T. Fendall, who was Chairman of the Board of Public Improvements. Upon the report of the General Superintendent of Parks that it would be unwise to start a \$25,000.00 or \$30,000.00 undertaking with an appropriation of \$5,000.00, and that a comprehensive plan by competent architects should first be obtained, the subject was referred to the President of the Board for a conference with the City Engineer. At a later meeting of the Board, (November 1, 1910), the President reported that Engineer Fendall was in agreement with the General Superintendent of Parks, and would accordingly disapprove the proposed ordinance.

Being curious to learn the origin of such an ordinance, the Secretary began a search of old newspaper files, in which he turned up the following headlines as far back as February 1909, just one year after the resignation of Major Richard M. Venable as President of the Park Board. Here, without doubt, was the beginning date of stadium talk in Baltimore:

"Venable Approves Plan for Stadium. Says It Would Supply Long Felt Want in Northwestern Section. Heat Might Be Only Objection. Late John K. Shaw Contemplated Supplying Public Need For Such a Place."  
(Evening News, February 17, 1909).

In the column of news under these headlines, it was disclosed that Mr. John K. Shaw, (likely "Grandfather" of a stadium for Baltimore), shortly before his death, had consulted Mr. Frederick Law Olmsted, the leading landscape architect in the country, about the feasibility of a stadium in the Stony Run Valley of Wyman Park, and that Mr. Olmsted had given as a reason against it that such a location might make it too hot for use during the summer months. Up to that time such a structure in a public park had never been heard of and Mr. Olmsted was known to be very enthusiastic about the beauty of the Wyman Park valley. As a result of this opinion, Major Venable referred to some talk of converting the Mt. Royal reservoir into a stadium. In a search for the origin of such talk, the Secretary dug up the record that, in September 1908, just a year after the purchase of the greater part of the present Venable Park, a young man named George W. Ehler had arrived in Baltimore from Cleveland, to become Secretary of the Public Athletic League under Mr. Robert Garrett. Also that Mr. Ehler was particularly interested in the recreational facilities at Patterson Park and was bent on promoting public interest in recreation by having contests before spectators. That Mr. Ehler was the father of the Mt. Royal reservoir stadium idea seems clear from the following headlines which appeared just a week after Major Venable's mention of "some talk" which probably was remembered by Mr. Boyd.

"Public Approves Stadium Project. Secretary Ehler Receives Many Endorsements of Reservoir Conversion. John E. Semmes Is Heartily For It. In Recent Years Open Places Suitable For Athletic Sports Have Become Scarce." (Evening News, Feb. 24, 1909).

Mr. Semmes was the President of the School Board at that time, and the list of names of prominent Baltimoreans favoring the proposal, was headed also by Major Venable and by Mr. George N. Numsen, the President of the City Council. The following headlines appeared in the Baltimore Sun the next day:

"Light On Stadium Plan. Mr. Ehler Gives Details Of What He Does Not Know About It. Wide Range of Probable Cost. Anywhere From \$50,000. To \$200,000. He Says. People May Pay For It If They Wish." (The Sun, Feb. 25, 1909).

Under these headlines it was speculated that Mr. Ehler's unfamiliarity with the City Charter and with Baltimore tax-rate problems, was responsible for his somewhat casual mention of \$200,000. So the proposal flickered out in the breeze whipped up by the magnitude of the cost as well as by discussion of the likely effect of a stadium upon property values in the reservoir neighborhood. It seems likely by way of further speculation, in the light of the record of Mr. Ehler's activities in Patterson Park, that the proposal just a year later, of a \$5,000. "stadium" there, originated with him and reflected an acquired Baltimore-becoming modesty. In any event, more than a decade elapsed before the subject was again in newspaper headlines; and then it really got going.

Here, with dates for easy reference, are the headlines which followed those quoted at the beginning of this chronology:

"Stadium Plan To Be Probed. Mayor Will Name Committee of Business Men To Learn Its Need And Use." (Evening News, November 28, 1921).

"Mayor Plans Committee To Push Stadium Contract. Wants Inquiry Made Into Cost And Use To Which Structure Could Be Put." (Morning Sun, Nov. 29, 1921).

"Mt. Royal Basin Urged For Stadium. Reservoir Will Be Drained This Week To Ascertain Its Possibilities." (Morning American, Nov. 29, 1921).

"Draining Of Old Park Reservoir Is Begun. Its Possible Use As Stadium Is To Be Determined." (Evening News, Nov. 29, 1921).

"Would Have Hopkins Build Large Stadium. W. Bladen Lowndes Thinks It Preferable For University To Construct Athletic Field. Says City Should Act If Institution Cannot. He Asserts Project Would Bring Big Games Here and Provide Source of Revenue." (Evening Sun, Nov. 29, 1921).



"Hopkins Alumni Act to Finish Stadium. Completion of Original Homewood Project to Seat 50,000 is Urged." (American, Nov. 30, 1921).

"Two Plans for Stadium Being Actively Pushed. Mt. Royal Reservoir Drained for Inspection of Bottom by Engineers. Hopkins Varsity Club Busy. Committee Named to Consider Financing \$350,000.00 Bowl at Homewood." (Morning Sun, Nov. 30, 1921).

"Mayor Ready to Act on Erecting Stadium. He Thinks Need of Athletic Field Pressing and Declares for Prompt Action." (Evening Sun, Nov. 30, 1921).

"Perring Approves Basin as Stadium. City Engineer Says Mt. Royal Reservoir Can be Utilized at Modest Cost." (American, Dec. 1, 1921).

"To Inspect Reservoir with Stadium in View. Chief Engineer Perring Prepares to Make Survey of Mt. Royal Bowl Today. Hopkins Would Cooperate. Dr. Evelith W. Bridgman Believes People Would Support the University's Project." (Morning Sun, Dec. 1, 1921).

"Suggests Walbrook Oval for Stadium. Residents of Northwest Section to Take Up Plan with Mayor Broening. Would be Natural Bowl. Futile Efforts Have Been Made for Some Years to Get Park Board to Act." (American, Dec. 1, 1921).

"Drain Mt. Royal Reservoir Today. Engineers Will Pass on the Stadium Project." (Evening News, Dec. 1, 1921).

"Mayor's Stadium Plan Endorsed by Garrett. Playground Association Chief Favors Mt. Royal Basin." (American, Dec. 2, 1921).

"Inspects Reservoir as Site for Stadium. Chief Engineer Perring Thinks Mt. Royal Can be Converted at Cost of \$100,000.00. Would Provide 20,000 Seats. Data to be Given J. Cookman Boyd for Park Board's Consideration." (Morning Sun, Dec. 2, 1921).

"Thinks it Would be Better to Use Mt. Royal Reservoir as a Boat Lake." (Heading over letter to editor signed M.P.O. - Evening Sun, Dec. 2, 1921).

"Park Board Head Favors a Stadium but Withholds Comment on Furnishing \$100,000.00." (Evening News, Dec. 2, 1921).

"Lack of Funds May Halt Stadium Plan. Project Loses Impetus When Hope for Financial Backing Dwindles." (American, Dec. 3, 1921).

"No Money at Hand for City Stadium but President Boyd of Park Board Would Like to See it Built at Reservoir. Cooperation on Hopkins Grounds is Discouraged. Proposal Has not Advanced Beyond Stage of Discussion Thus Far it is Said." (Evening Sun, Dec. 3, 1921).

"Question of Stadium Comes Up Tomorrow. Developments Include Official Consideration at Meeting at J.H.U. Hope to Have Service Game. Local People Express Wish That Gen. Butler Will Reconsider His Decision." (Morning Sun, Dec. 4, 1921).

"Drawing by Wyatt & Nolting, Architects, Reproduced Showing How Mt. Royal Reservoir Would Look if Converted Into a Stadium." (Evening News, Dec. 4, 1921).

"A Correspondent Protests the Proposal to Use Mt. Royal Reservoir for a Stadium." (Heading over letter to editor signed William K. Bartlett in American, Dec. 5, 1921).

"Stadium Will Make Hockey Rink Possible. News that City Officials are Going Ahead with Project Revives Interest in Sport." (Evening Sun, Dec. 5, 1921).

"Discuss Plans for Hopkins Stadium. University Club and Homewood Company to Meet." (Evening News, Dec. 5, 1921).

"Mr. William K. Bartlett Makes an Earnest Protest Against the Conversion of Mt. Royal Reservoir Into a Municipal Stadium." (Heading over letter to editor signed William K. Bartlett - Morning Sun, Dec. 6, 1921).

"Will Push Project for Stadium at J.H.U. Plans Discussed by Homewood Governors and Members of Varsity Club. Cost Question Considered. City's Plans to Proceed on Receipt of Committee's Report According to Mayor." (Morning Sun, Dec. 6, 1921).

"Oppose Converting Basin Into Stadium. Neighborhood Property Owners Appear Before Park Board to Make Objection. Not Considered Says Boyd." (American, Dec. 7, 1921).

"Strong Protest Made to Reservoir Stadium. Mt. Royal Residents Say Proposed Plan Would Ruin Fine Neighborhood. Excess Cost Alleged." (Morning Sun, Dec. 7, 1921).

"Hopkins Athletic Head Seeks Stadium Data. Ray Van Orman Sends Inquiries for Detailed Information to Cities and Universities. Disapproves Reservoir Plan. Declares Mt. Royal Site is Unsuitable for 200 or 220 Yard Straightaway Tracks." (Morning Sun, Dec. 8, 1921).

"Army Favors Stadium. Third Corps Supervisor Urges City to Continue Plan." (Evening News, Dec. 9, 1921).

"Army-Marine Game Hinges on Stadium. Third Corps Athletic Director Tells Mayor City Must Build to Get Next Contest." (Evening Sun, Dec. 9, 1921).

"Stadium Might Bring Old Rivals Together. University of Maryland Athletic Director Willing to Resume Relations with Hopkins at Once. C. L. Ornstein Sees Broening. Tells Mayor City Cannot Hope to Have Next Year's Army-Marine Game Without Room." (Morning Sun, Dec. 10, 1921).

"Stadium Plan is Favored by Many. Would Give Local City Schools Much Needed Athletic Field Say Educators." (American, Dec. 11, 1921).

"Move to Keep Alive Stadium Project On. Group of Persons Interested in Sports Aims to Enlist Support of All Concerned. Petition Now Circulating to be Laid Before Mayor. Some Municipal Officials Won Over to Proposal to Erect Big Structure at Reservoir." (Evening Sun, Dec. 15, 1921).

"Is Preparing Report on Proposed Stadium. Chief Engineer Perring to Submit Data to Mayor Broening." (Evening Sun, Dec. 17, 1921).

"Athletes to Discuss Erection of Stadium. Meeting of Athletic Organizations of City is Planned for Early Date." (Morning Sun, Dec. 19, 1921).

"Bitter Against Stadium Plan. Mt. Royal Avenue Residents Protest at City Hall. Mayor Strong for Project." (Evening News, Dec. 21, 1921).

"Stadium Site Protest Fails to Deter Mayor. Broening Determined to Proceed with Plans." (American - Dec. 22, 1921).

"City Owned Stadium is Demand of Mayor. Announces He Wants Municipal Field to be Offered Free for Big Events. Needed for School Games. Residents in Vicinity of Mt. Royal Reservoir Oppose Project There." (Morning Sun, Dec. 22, 1921).

"Garrett for Stadium Free of College Rule. Public Improvement Chairman Approves Municipal Ownership of Project. Favors Reservoir as Site. Says Joint Control Would Limit Public Use and Homewood is Too Inaccessible." (Morning Sun, Dec. 23, 1921).

"Reservoir Too Small for Stadium He Thinks." (Heading over letter to editor signed Charles J. Duce - Evening Sun, Dec. 23, 1921).



"Perring Finds Basin Ideal Stadium Site. City Engineer Says Mt. Royal Reservoir Will Meet All Requirements. Reports on Building Cost. Reassures Critics on Doubts as to Whether Ample Space is Available." (American, Dec. 24, 1921).

"Favors Reservoir Site for Stadium. George J. Horn Tells How Sports Could be Conducted Throughout Year." (Evening Sun, Dec. 27, 1921).

"Says City is Free to Use Reservoir. President of Park Board Holds That Previous Investigation Showed Title to be Absolute." (Evening Sun, Dec. 28, 1921).

"Plans for Stadium are Nearly Finished. Perring May Have the Report Ready on the Reservoir Tonight." (Evening News, Dec. 30, 1921).

"Another Protest Against a Stadium in the Park." (Heading over letter to editor signed Thomas E. Eley - Evening Sun, Dec. 31, 1921).

"Mt. Royal is Favored as City Stadium Site. Recommended in Perring Report to Mayor Who Will Name Committee. Seating Capacity Would be More Than 40,000." (Morning Sun, Jan. 1, 1922).

(In the January 1st issues of both the Sun and the American appeared architectural drawings showing the lay-out of the Stadium in the Mt. Royal reservoir with the explanation that the "primary cost" was estimated at \$100,000.00 with seat stands to accommodate 14,000 and standing room for 5,000).

"Perring Completes Plans for Stadium. Finds Project is Popular. Gradual Enlargement from 14,000 Seating Capacity is Made Possible." (American, Jan. 1, 1922).

"Mayor to Appoint Stadium Committee. Head of Park Board Also Promises Serious Study of Perring Report." (American, Jan. 2, 1922).

"Mayor Will Act on Stadium Proposal." (News, Jan. 2, 1922).

"Perring Stadium Plan Finds Favor. Reservoir Project as Outlined by City Engineer Fits Views of Those Advocating Enterprise." (Evening Sun, Jan. 2, 1922).

"Will Name Stadium Body. Mayor to Appoint Large Committee to Investigate." (American, Jan. 3, 1922).

"Park Board Receives Plan for City Stadium. Perring Report on Reservoir Site to be Studied Before Action is Taken." (Morning Sun, Jan. 4, 1922).

"Names Committee to Get Stadium Data. Mayor Broening Forming Body to Investigate All Phases of Proposed Construction." (Evening Sun, Jan. 4, 1922).

"Stadium Committee Announced by Mayor. Selection of Chairman However Left to Members." (Evening News, Jan. 4, 1922).

"To Discuss Stadium Plan. Mayor Will Call Committee Meeting Next Wednesday." (Evening News, Jan. 6, 1922).

"Stadium Committee to Meet Next Week. Will Take Up Report of Chief Engineer Perring Recommending Construction on Reservoir Site." (Evening Sun, Jan. 10, 1922).

"To Discuss City Stadium. Mayor Calls Meeting for Committee at City Hall Next Tuesday." (Evening News, Jan. 11, 1922).

"Report on Stadiums is Made to Perring. Baltimore is Fourth City to Consider Such Projects as Municipal Undertaking. Engineer Makes Three Separate Estimates for Mt. Royal Stadium Dependent on Size." (Evening Sun, Jan. 12, 1922).

brick-clay  
Following the publication of plans, the Mt. Royal Improvement Association was drawn into the opposition group, and Mr. Edward Hanlon, a member of the Park Board, who lived on Mt. Royal Avenue, became very much interested in having another site selected. He sent for Mr. J. Harry Gross who had been the park engineer for a number of years prior to his resignation which had finally taken full effect at the end of 1920. He asked Mr. Gross to look over the much larger water reservoir in Clifton Park known as "Clifton Lake" and after the Engineer had looked over the reservoir and reported to Mr. Hanlon he went to the Park Office in Druid Hill and talked the matter over with the Secretary of the Park Board. He stated that the Clifton reservoir was large enough not only for a stadium playing field and seats but for ample automobile parking space within the embankments. This aroused the Secretary's curiosity, and as soon thereafter as was convenient and the weather suitable, he made a solo trip to Clifton Park to resolve his doubts. On his way back to Druid Hill, by way of 33rd Street, he noted how the use of Venable Park as a dumping ground by the Street Cleaning Department had almost completely filled up the old lake where a ~~sand~~ quarry had been, and where a drowning had occurred during the skating season after the property known as "Venable Park" had been acquired by the City. As he sat looking at the filling stakes, about which there had been so much controversy with the Commissioner of Street Cleaning, it occurred to him that the removal of the fill would be considerably cheaper than excavation in solid earth, and that the use of the filling material for embankments would minimize the cost of a stadium built on any site other than an abandoned water reservoir. He saw no occasion to mention the subject, however, because he felt certain that the President of the Park Board had made up his mind in favor of the Mt. Royal reservoir, and would be aggravated by any suggestions coming from him.

Continuing with the headlines:

"Stadium in Clifton Park Advocated by Engineers. Engineers Club Expresses Preference of Lake as Site to Mt. Royal Reservoir Project." (American, January 14, 1922).

"To Protest Against Mount Royal Stadium. Meeting Under Direction of Mount Royal Improvement Association Expected to Recommend Clifton Lake Site." (Evening Sun, Jan. 16, 1922).

"Will Push Stadium Plans. Mayor's Committee Meets Today at City Hall." (American, Jan. 17, 1922).

"Y.M.C.A. Secretary Scores Mayor's Stand on Stadium." (American, Jan. 17, 1922). (Mr. W. H. Morriss favored a Stadium on the Hopkins campus in preference to a non-collegiate arena).

"Further Action Planned Against Stadium Project. Mount Royal Improvement Association Will Tell Mayor Mount Royal Reservoir Site is Too Small." (Morning Sun, Jan. 17, 1922).

"Stadium Committee Will Elect Officers. First Meeting to Hear Perring Report and Protests of Improvement Association." (Evening Sun, Jan. 17, 1922).

"Mayor's Committee Favors Reservoir Site for Stadium. Recommends Construction of City Owned Arena at Mount Royal Entrance. Clashes Mark Meeting. Hopkins Proposal for Cooperative Project Bitterly Assailed at City Hall. Now Up to Park Board. Commissioners to Hear Protests of Residents. Perring Charges Unfair Propaganda." (American, Jan. 18, 1922).

"Stadium Plan Firmly Backed by Committee. Mayor's Group of One Hundred Endorses Mt. Royal Site." (Morning Sun, Jan. 18, 1922).

"Money Lacking for Stadium. Park Board Has Fund, But Makes No Promises. Members Refuse to Discuss It. Question Will Come Up at Next Meeting." (Evening News, Jan. 18, 1922).

"Will Ask Park Board to Finance Stadium. Mayor Plans to Submit Project as Park Structure to Gain Body's Support." (Evening Sun, Jan. 18, 1922).

"Owners Objections Sole Stadium Hitch. Indications are Park Board Favors Project and Can Provide Money. Project Waits on Boyd. Mt. Royal Reservoir Site Only, Approved by Engineers Who Inspected All." (American, Jan. 19, 1922).

"Boyd Will Set Date to Discuss Stadium. Park Board President is Expected to Arrange Session on Return from New York." (Evening Sun, Jan. 19, 1922).

"Stadium Proposal is Waiting on Boyd. Park Board Head Will Bring New York Ideas." (Evening News, Jan. 19, 1922).

"Stadium Protest Meeting Tomorrow. Lawyers' Group are Planning Legal Battle." (American, Jan. 20, 1922).

"Many Favor Stadium Plans. Mayor Receiving Letters Approving Use of Reservoir." (Morning Sun, Jan. 20, 1922).

"Stadium Ventilation is Being Considered. Park Board Member (Felix Agnus) Says Bowl-Type Structure Will Shut Out Air Currents. U-Shaped Construction Said to Have Advantages. Mayor's Committee Studies Report on Stadium Being Erected at Ohio University." (Evening Sun, Jan. 20, 1922).

(The January 20th issue of the Baltimore Municipal Journal reproduced drawings of the Reservoir Stadium, with much stadium data from other Cities).

"City-Wide Congress to Act on Stadium. Committee Named to Investigate Plan to Use Mount Royal Reservoir Site. Delay in Decision Urged. Old Town M. & M. Association Suggests Clifton Park as Suitable Place." (American, Jan. 21, 1922).

"Stadium Project Will be Studied by Committee. Site Question Discussed by J. Kemp Bartlett and Others Before City-Wide Congress." (Morning Sun, Jan. 21, 1922).

"Legal Fight Looms Over Stadium Plans. Mount Royal Property Owners Will Take Objections to Site Into Court. Appeal to Mayor Planned. Lawyers Hold Deed for Land Prohibit Use Except for Water Purposes." (American, Jan. 22, 1922).

"Legal Fight Outlined on Reservoir Stadium." (Morning Sun, Jan. 22, 1922).

"Boyd Back (from New York) With Much Stadium Information But No Conclusions." (American, Jan. 22, 1922).

"To Fight Proposed Stadium. Property Owners Near Mount Royal Reservoir Will Take Action." (Evening News, Jan. 22, 1922).

"Fate of Stadium Plan May Be Settled Soon. Mayor and Boyd to Confer Today Over Course of Action by the Park Board." (Morning Sun, Jan. 23, 1922).

"Minds Open About Stadium. President Boyd Says Park Board Will Consider It. No Other Source of Finance. Mayor Will Hold Conference on Plans Today." (Evening News, Jan. 23, 1922).

"Council Seeks Data on Stadium Plans. Bryant (Council President) Offers Resolution Asking Mayor for Information on Funds and Protests. Cadden Council's Delay. Urges Broening to Defer Action Until Sentiment of Community is Obtained." (American, Jan. 24, 1922).

"Bills in Council Aimed at Reservoir Stadium. Patterson Park is Proposed." (Morning Sun, Jan. 24, 1922).

"Withdraw Opposition to Mount Royal Stadium. City-Wide Congress Governors Take Action." (American, Jan. 26, 1922).



"Stadium Raises Storm at City-Wide Congress. Members Hear Henry G. Perring Speak on Reservoir Site and its Advantages. Organization Meeting at City Club Delays Definite Action Until Later." (Morning Sun, Jan. 26, 1922).

"For a Stadium to Seat 40,000 At Least and No Hurry About it." (Heading over letter to editor from Malvin Landy - Evening Sun, Jan. 26, 1922).

"Doubts Suitability of Mount Royal Site. Designer of Yale Stadium Inclined to Think Reservoir Would Need Extensive Remodeling." (Evening Sun, Jan. 26, 1922).

"Endorses Stadium Site. North Baltimore Businessmen's Association Hears Goldsborough." (American, Jan. 28, 1922). (Mr. Goldsborough was Secretary of the Merchants and Manufacturers Association).

"What a Stadium at Mount Royal Entrance to the Park Would Mean." (Heading over letter to editor signed "One of Many" referring to the project as "despoiling the City" and asking how many would want a stadium in front of their homes - Morning Sun, Jan. 28, 1922).

"An Argument for a Stadium in the Reservoir." (Heading over letter to editor advocating a stadium of 50,000 capacity financed by a sale of shares at \$10.00 each - Evening Sun, Feb. 1, 1922).

"Calls Clifton Park Best Stadium Site. Howard D. Tustin Declares Natural Advantages Would Give Maximum Results at Minimum Outlay. Takes Rap at City Fathers for Overlooking Such Sport. Attributes it to Disposition to Make Dumping Ground Out of Northeast Section." (Mr. Tustin's plan accompanied the article showing the location between the Harford Road and Washington Street north of the B. & O. R.R. - Evening Sun, Feb. 2, 1922).

"Sportsmen Endorse Mayor's Stadium Plan. Broening Receives Eight Page Petition." (American, Feb. 4, 1922).

"Skullduggery Scented in Stadium Resolution. Councilman Wolf Suspicious of Measure Asking Data on Mount Royal. Debate Drips with Sarcasm. Momentous Question Finally Approved in First Branch by Vote of 23 to 2." (Morning Sun, Feb. 7, 1922).

"Will Raise Fund to Fight Reservoir Stadium Project. Mount Royal Residents Prepared to Carry Their Objections Into Court." (Morning Sun, Feb. 7, 1922).

"Citizens Organized to Fight Stadium. Mount Royal Residents Will Contribute to Cost of Court Battle. Council Demands Facts. Deed to Reservoir Site Said to Provide its Use to the City." (American, Feb. 7, 1922).

"Board to Discuss Stadium Proposal. Action, However, Will be Met by Injunction." (Evening News, Feb. 7, 1922).

"Park Board May Act on Stadium Project. Question of Advancing Money for Construction to be Considered This Afternoon. Mount Royal Residents Continue Bitter Opposition. They Claim Board Has No Right to Use Money for Such Purposes." (Evening Sun, Feb. 7, 1922).

"Experts Study Proposed Site for a Stadium. Yale Bowl Builder Brought Here by the Sun Reports Finding. Harvard's Engineer to Give Views Later. Various Sections Visited in Search for a Logical Location." (Morning Sun, Feb. 8, 1922).

"New Plan for Mount Royal Stadium." (Plan by Architect Ferry, of the Yale Bowl, published showing lay-out of both baseball diamond and football field in the Mount Royal Reservoir - Morning Sun, Feb. 8, 1922).

"Why a Stadium When School Needs are Unprovided for." (Heading on letter to editor asking why spend \$100,000.00 to build a stadium - Morning Sun, Feb. 8, 1922).



"Engineer Gives Full Report on Stadium Possibilities Here. Designer of Yale Bowl Points Out Advantages and Drawbacks of the Several Available Sites Proposed." (Evening Sun, February 8, 1922).

"Favored as Stadium Site by Harvard Expert." (Heading over picture of Clifton play field as suggested earlier by Howard D. Tustin - Morning Sun, Feb. 9, 1922).

"Baseball Field in Clifton Park as Stadium Site. Designer of Harvard Project Selects Spot After Seeing Others. Mount Royal Reservoir Called Inadequate. Many Suggested Locations Elsewhere in City are Rejected." (Morning Sun, Feb. 9, 1922).

"Harvard Stadium Designer Reports on Stadium Sites. Civil Engineer Explains Advantages and Disadvantages of Proposed Locations in Various Parts of City." (Evening Sun, Feb. 9, 1922).

"Perring Backs Stadium Plans for Reservoir. Takes Up Experts Reports Point by Point and Gives Answers. People are Divided on Opposing Views. Civic Organizations Announce They Will Act at Once." (Morning Sun, Feb. 10, 1922). (In the article following, Dr. William Burdick was stated to be in favor of the Mount Royal Reservoir).

"Stadium Question Up to Park Board. Commissioners Must Settle Problem Says Mayor." (Evening News, Feb. 10, 1922).

"Stadium Plan Awaits Park Board Decision. Mayor Declares He Will Press Project But Wants Board's Idea First. Seeks View on Sites and Progress of Financing. Action on Question Expected to be Taken at Regular meeting March 7." (Evening Sun, Feb. 10, 1922).

"Another Stadium Site Suggested." (Title over letter to editor from W. F. Lyons suggesting a site on 25th Street between Harford and Greenmount Avenues - Evening Sun, Feb. 10, 1922).

"Boyd Proposes Public Decide on a Stadium. Seeks to Learn if People Want One and What Kind. Question of Sites Put on Open List. Sun Offers Chance to Express Opinion on a Ballot." (The ballot published gave three alternative chances for a site. 1-Mount Royal, 2-Clifton Park, 3-Stony Run - Morning Sun, Feb. 11, 1922).

"Committee to Urge Mount Royal Site. City-Wide Congress Will Consider Report on the Stadium Monday. Little Demand Observed. Straw Vote Shows Slight Interest in Plan to Expend \$100,000.00." (American, Feb. 11, 1922).

"Votes on Stadium are Being Checked. Mayor's Name on Ballot is Proved False." (Evening News, Feb. 11, 1922).

"Clifton Leads 5 to 1 in Vote for Stadium. Some Fear City Cannot Afford Cost Now and Object to Mount Royal Reservoir. Others Oppose Whole Idea. Many Specify Structure Should Seat from 50,000 to 100,000 Persons." (Morning Sun, Feb. 12, 1922).

"Many Women Voting on Stadium Proposal. Clifton As Site Loses Slightly but Still is Far in the Lead. Delay is advised by Some. Many Balloters Say City Cannot Afford Arena With Schools Needing Funds." (Morning Sun, Feb. 13, 1922).

"Council Moves Favor Stadium at Clifton. Study of Sites is Urged by Cadden." (American, Feb. 14, 1922).

"Votes Show Majority in Favor of Stadium. Those Advocating Clifton Site Stand 6 to 1 of All Others Combined. Foes of Plan Beaten 4 to 1. Balloting Grows With Increases for Clifton Park and Opponents of Project." (Morning Sun, Feb. 15, 1922).

"Advocates of Stadium Muster Bare Majority. Poll by the Sun Shows 361 Votes For and 329 Against Structure. Public Generally Lukewarm. Significance Seen in Fact That Only 755 Baltimoreans Sent in Ballots." (Morning Sun, Feb. 16, 1922).

"Apathetic on Stadium Plan. This is Last Day for News-American Ballot." (Evening News, Feb. 16, 1922).

"Stadium Wanted Here Voting on Issue Shows. Opinions Differ Widely However on Choice of Site and Time for Building. Clifton Park Far in Lead. Proponents for Action Continue Now to Outnumber Those Who Favor Delay." (Morning Sun, Feb. 17, 1922).

"Little Interest in Stadium Project. Only Zeal Displayed by Mount Royal Avenue Residents." (Evening News, Feb. 17, 1922).

"Votes for Stadium Show Big Majority. Smallness in Ballot Shows Apathy in Project." (Evening News, Feb. 18, 1922).

"Poly Graduates Renew Demand for Stadium. Will Send Resolution to the Park Board." (American, Feb. 25, 1922).

"Poly Graduates Again Advocate Stadium Project. They Approve Resolutions Reaffirming Their Stand and Send to Park Board." (Morning Sun, Feb. 25, 1922).

"Stadium Question Not Dead Yet. Park Board is Still Studying Matter Individually." (Evening News, Mar. 9, 1922).

"Athletic Heads See the Mayor. Ornstein and Herzog Bring Up Discussion of a Stadium. Boyd Also Present and So Is City Engineer Perring. Project Seems to be Asleep." (Morning Sun, Mar. 24, 1922).

"Stadium by Fall is City Hall Hint. Engineer Perring Estimates City Can Build One at Once at Outlay of \$100,000.00 to Seat 14,000 Persons. Report, to be Submitted Soon, Expected to Favor Mount Royal Reservoir Site." (Morning Sun, Apr. 4, 1922).

"Mayor Still Plans to Build Stadium. Executive Asks Perring for Detailed Report on Mt. Royal Project." (American, Apr. 4, 1922).

"Stadium Project Up to Park Board. Plans Expected to Wait Until May Meeting." (Evening News, Apr. 4, 1922).

"Mt. Royal Stadium Project is Approved. Park Board Will Have 300,000 Bowl Completed by December 2 Mayor Announces. Books Army-Marine Game. Plans for Structure of 30,000 Seats Revealed at Luncheon to General Bailey." (American, Apr. 5, 1922).

"May Announce Site of Stadium Today. Park Board Said to Have Decided on Mt. Royal Reservoir Bowl. Will be Ready Next Fall. Part of Plans Revealed at Luncheon to Maj. Gen. Bailey and Others." (There followed publication of plan under heading "Artist's conception of proposed Mt. Royal Reservoir Stadium - Morning Sun, Apr. 5, 1922).

"Park Board to Build Mt. Royal Stadium. City Tax Rate Will Not be Affected by Proposed Construction." (Evening Sun, Apr. 5, 1922).

"Pick Reservoir as Stadium Site. City to Build a 30,000 Seat Bowl it is Learned. Foes of the Plan Will Fight. Mayor Refuses Official Statement Until Boyd Returns." (Evening News, Apr. 5, 1922).

"Legal Fight Faces Reservoir Stadium. Mt. Royal Residents Ready to File Suit to Restrain Project. City Officials Reticent. Park Board, it is Believed, However Will Go Ahead Despite Threat of Contest." (Morning Sun, Apr. 6, 1922).

"Would Convert Reservoir Into Big Playground. Public Athletic League Opposes Construction of Municipal Stadium There." (Morning Sun, Apr. 6, 1922).

"Plans for Stadium Before Park Board. Boyd Announces Body Will Consider Mt. Royal Project at Meeting Tuesday." (American, Apr. 6, 1922).

"Urges Reservoir for Playground. Children's Association Says Druid Hill Needs Facilities. Mayor Broening, J. Cookman Boyd, President of the Park



Board, and Henry G. Perring, Chief Engineer of the City, will go to Mt. Royal Reservoir This Afternoon in Connection With the Plans for Converting the Bowl Into a Stadium." (Evening News, Apr. 6, 1922).

(Long editorial weighing economy of using Mt. Royal reservoir against an outlay of perhaps \$400,000.00 for construction at another site from the ground up - American, Apr. 7, 1922).

"City Officials Push Plans for Stadium. Mayor and Others Look Over Mount Royal Site Saying: That or None." (American, Apr. 7, 1922).

"Clifton Stadium Advocates Busy. Organizations Take Heart on Learning Reservoir Has Not Been Chosen. Old Town Merchants & Manufacturers at Work. Mayor, Boyd and Perring Drive Through Druid Hill - Pass by Mt. Royal." (Morning Sun, Apr. 7, 1922).

"Has Funds Only for Park Stadium. Said Board Cannot Afford to Build Elsewhere." (Evening News, Apr. 7, 1922).

"Decision of Park Board on Stadium Site Awaited. Groups Interested in Project Muster Forces for Meeting Tuesday - Officials Silent." (Morning Sun, Apr. 8, 1922).

"City-Wide Congress Flays Stadium Plan. Opposes Mt. Royal Site and Suggests Park Board Devote Energies to Extensions." (American, Apr. 8, 1922).

Although it had been announced in the newspapers that a decision on the Stadium site would be reached at a meeting of the Park Board to be held on Tuesday, April 11, the written notices to members did not go out until April 8. The day was Saturday, and as the Secretary of the Board had occasion to call on Gen. Agnus in the late morning of that day he delivered the notice of the meeting in person. When the General had read the notice he remarked to the Secretary that the meeting would probably be his last as he felt he would have to resign from the Park Board when not able to go along with the Mayor and the President of the Board on their decision to build the Stadium in the Mt. Royal reservoir. He said he had made up his mind to vote against the proposal, and that as Commissioner Hanlon would vote with him, the Mayor's plans for a stadium would be blocked by reason of the fact that Commissioner Samuel Liebowitz was on unfriendly terms with the Mayor and Mr. Boyd and had attended no meetings of the Board for more than a year. This statement greatly alarmed the Secretary who felt sure that the resignation of Gen. Agnus would result in the appointment of a new Commissioner who would not be a block, as the General was, to the political pressure on the Mayor and the Park Board to replace him with a republican. He stated his fears to Gen. Agnus, and expressed the hope that he would not resign.

The General asked the Secretary to be seated, and confided to him that the fear he had expressed was unfortunately well founded, but that so long as the politicians tried to dictate to Mr. Boyd it was unlikely that any change would be made. He said, however, that he would like very much to avoid resigning, and would not do so if another location for the stadium could be found, although in view of the months of controversy, and the survey made by experts, it seemed to him that the situation was hopeless. He said he was not opposed to the reservoir site because of the neighborhood clamor against it, but because it was too small. He said the use of public money for a stadium at any location could not be justified unless the arena were large enough to make Baltimore attractive for major college football, including the Army-Navy games.

In this emergency, the Secretary recalled his stop, on the way back from Clifton Park, to view the ash dump on 33rd Street, and asked: "Why not Venable Park?" "Where is Venable Park?" asked Gen. Agnus. He was an oldtimer and familiar only with units in the improved park system. He had not been a member of the Board during the long controversy between the General Superintendent of Parks and the Street Cleaning Commissioner in 1916 and 1917 about the use of the northern section of Venable Park as a City dump.



During the conversation, the Secretary had noticed that the small framed map of the City, red-lined to show the shortest possible route for reaching all of the park units in a single trip, of which he had one time furnished each member of the Board a copy, had fallen down behind the wall desk in the General's office. In answer to the General's question he fished out the map and pointed to the location of the unimproved park reservation. Then he went on to explain that the area north of 33rd Street had been a large rain water reservoir when the property was purchased, and that it had been filled to grade during the years it had been used by the Street Cleaning Department as an ash dump. He expressed the opinion that the fill was still soft enough to be easily removed. As the General's face brightened with interest he went on to say that a stadium located there could be much more conveniently reached from all sections of the City than could the Mt. Royal reservoir, and that there were no residences in the vicinity nearer than those on Gorsuch Avenue. He said the wide boulevard already opened through the property was an important factor, and that there was no smoke nuisance in the neighborhood. By this time Gen. Agnus indicated that he was convinced. He gratefully thanked the Secretary for his suggestion, but followed with the warning that secrecy would be necessary to avoid Boyd opposition. His words were: "If Boyd finds out you made the suggestion he will be against it on that score alone." The General laughed as he said it, remarking on Mr. Boyd's temperamental likes and dislikes and his hubristic disposition - notwithstanding which, he said, he was very fond of him. He then asked the Secretary to stay and have lunch with him. In his suite of offices he had a room furnished for luncheon convenience, with a private telephone handy, and after ordering sandwiches and tea he called Mr. Boyd for a diplomatic chat. Following the strategy he had already outlined to the Secretary he said he would like to have the President and the members of the Board join him in a little party at his home in Eutaw Place on the following Monday evening, April 10. The General's stock of pre-war whiskey was not only ample, but the best to be had anywhere, and the party was arranged without difficulty.

Following the luncheon, Gen. Agnus bade the Secretary a hearty goodbye with another warning that there must be absolute secrecy.

The newspaper headlines, Sunday and Monday, were:

"Boyd and Perring Inspect Reservoir. Seek to Determine Seating Capacity and Standing Room for Stadium. Report Ready on Tuesday. Officials Express Little Fear of Threatened Suit to Prevent Construction." (Morning Sun, Apr. 9, 1922).

"Suggests Olympic Bowl as Model for Stadium. J. Gomprecht Sends Mayor View of Athens Structure." (American, Apr. 9, 1922).

"Whose Parks Are They?" (Heading of editorial referring to Park Board's handicap in operating the swimming pools in Clifton and Patterson Parks and yet able to spend \$100,000.00 to \$300,000.00 for a pony stadium in a hole adjacent to a railroad yard full of smoke and cinders - Evening Sun, Apr. 10, 1922).

"To Urge Smoke Evil Against Stadium Site. Opponents of Mt. Royal Reservoir Location Fighting From New Angle." (Evening Sun, Apr. 10, 1922).

"Stadium Project Will be Discussed Tonight. Mt. Royal Improvement Association Members to Meet." (Evening News, Apr. 10, 1922).

Monday morning the need for sunlight brought into the open, to be photographed, a beautiful scale model in clay, of the Reservoir Stadium. The pictures were being taken at the Park Office in Druid Hill, with twigs of evergreen stuck in for trees, all in readiness for the publicity which was expected to follow the Board's adoption of the reservoir site the following day. (Cost of photo - \$8.20)

The Tuesday morning headlines gave only a slight inkling of what the Secretary knew was going on:

"Park Board Divided Over Stadium Site. Break in Customary Unanimity



Expected at Meeting Tomorrow. Two Against Reservoir. Entire Plans and Proposals to be Gone Over at Postponed Session." (Morning Sun, Apr. 12, 1922).

Official notice of the postponed meeting came to the Secretary from the General Superintendent of Parks, who divulged with a great air of mystery, that everything was off until Thursday. Written notices went out promptly, following the "news" to members over the telephone. The place of the meeting was the President's office, Charles and Lexington Streets, and the time 2:30 o'clock in the afternoon. Of course, Gen. Agnus being a newspaper man could not resist the hint, at least, of a "scoop." His Thursday morning's American carried the following headlines:

"NEW STADIUM PLANS MAY DEVELOP TODAY. PARK BOARD BELIEVED TO BE CONSIDERING SITE OTHER THAN RESERVOIR."

The Baltimore Sun had only:

"SELECTION OF SITE TO BE CONSIDERED AT MEETING OF PARK COMMISSIONERS."

When the Secretary arrived at Mr. Boyd's office a little before the hour of the meeting, he found the door closed, which was unusual. Entering, after a timid knock, he was a little amused to see Engineer Perring down on the floor with a large scale plat of Venable Park spread out. He was shifting about on the plat, a corresponding scale drawing of a horseshoe stadium to determine a proper location.

All members of the Board except Mr. Liebowitz were present, and it was evident that there had been an assembly in advance of the meeting hour. Gen. Agnus exchanged smiles with the Secretary, thus notifying him that all was well.

The meeting then proceeded casually with other business, such as the Clifton Park Golf Course, the Flower Market at the Washington Monument and the successful Arbor Day Tree Planting. Of course, newspaper reporters were present, and finally, addressing himself to them the President reviewed the agitation over the proposed conversion of the Mt. Royal reservoir and told how innocent he had been of any desire other than to have a stadium which would be creditable to the City. He said the fact was that the reservoir site would limit the seating capacity to 40,000, and that a larger stadium in Clifton Park would require the destruction of a play field area there, large enough to accommodate twelve baseball diamonds for which there was as much demand as for a stadium. He then announced the selection of the Venable Park site and described the proposed stadium in accordance with a preliminary design hastily made by Engineer Perring. To placate some of the opposition to any stadium being built with park funds while the Olmsted Plan for park extension was so far from completion, he then announced that it had been decided to name the structure "Venable Stadium" and to have the name of 33rd Street changed to "Venable Boulevard" - both in commemoration of the late Richard M. Venable who had done so much to further the extension of the park system during his service as President of the Board. The President then thanked Mr. Perring for his cooperation, and the meeting was adjourned until 5:00 o'clock, P.M., because of a suggestion from Mr. Perring that it would be desirable to locate the horseshoe due north and south, which would require an extension of the park area to the north. Following the suggestion, the President had appointed Commissioners Mottu and Hanlon a Committee with power to extend the north line by the purchase of such additional land as might be required if obtainable at a reasonable price.

The deed for the addition of a little less than seven acres is dated May 29, 1922, and the amount paid to Mary F. Jacobs was \$20,850.00.

Thus, the present location of the Stadium became final, and the papers on the morning of April 14 made the announcement with appropriate display. In the Morning Sun there was a picture showing the extensive unimproved park area north of 33rd Street, and in the Morning American was a panoramic view of the site and the artist's conception of the construction of the Stadium in the shape of a horseshoe.

The history in headlines, to make the record complete, continues:

"Site in Venable Park Chosen for Municipal Stadium." (Heading over picture of the extensive unimproved area north of 33rd Street and east of Ellerslie Avenue - Morning Sun, Apr. 14, 1922).

"Panoramic View of Stadium Site and Artist's Conception of Horseshoe." (American, Apr. 14, 1922).

"Venable Park Selected as Stadium Site. City to Erect \$325,000.00 Structure With Seating Capacity of 40,000. Work to Begin at Once. Fifteen Acre Tract in Northeast Section Picked for Concrete Horseshoe. Board Reveals Plan. Adequate Car Service Assured. Mayor Commends Commissioners." (American, Apr. 14, 1922).

"To Start on Stadium Within Two Weeks. Perring Plans to Rush Work Using Five or Six Steam Shovels. Jobs for 300 Laborers. City Engineer Won't Wait for Drawings But Will Speed Excavations." (Under a sub-headline: "Dr. Burdick Still Hopeful" the Recreation Director was quoted as follows: "We were never interested in the project of a big Stadium or in its commercial possibilities, but we have thought that the City owed to the children some provision for athletic sports. We have thought that that was a greater obligation for the children than was the construction of an athletic field for the adults. We still would like to have the Mt. Royal reservoir remodeled for the use of these children." - Evening Sun, Apr. 14, 1922). Boyd frustrated this by removing reservoir 1924. (\$60,000.)

"Stadium Will Pay Way Mayor Asserts. Increased Property Values he Believes Will Produce Cost in Taxes." (American, Apr. 15, 1922).

"Venable Park is Chosen for Huge Stadium. Park Board Announces Structure Will Seat 40,000 Persons. Ready for Use in Army-Marine Game. Will Rest Along Northern Side of 33rd Street. Cost is \$325,000.00. (Morning Sun, Apr. 15, 1922). (The estimated cost, of course, was upon the basis of 40,000 seats and the normal cost of earth excavation. The saving in moving the soft fill brought the cost down to an actual \$260,732.71 for 43,034 seats used for the opening game December 2, 1922. Payment of \$140,677.60 to the contractor who erected the Stadium building the following year brought the cost to \$401,410.31, and continuing construction through 1924, including 20,396 additional seats elevated above the embankment in the bend of the horseshoe, brought the final cost, exclusive of land, to \$574,710.46).

Incidentally, Gen. Agnus continued as a Park Commissioner to the end of his term, and the Secretary continued to saw wood and say nothing. The closest he ever came to disclosing the secret, while Gen. Agnus lived, was on Saturday, October 14, 1922, when he was driving Mr. Boyd from his home to his private office. The palm house in Druid Hill Park had just been passed when Mr. Boyd brought up the subject of the Stadium's location, and remarked with his usual disdain: "He hadn't any more to do with it than you had," referring to Commissioner Hanlon. The Secretary replied: "Possibly I had more to do with it than you think." This ended the conversation so suddenly that the Secretary suspected the subject had been brought up as a "catch," and wondered if the purpose had been to discredit him in the eyes of Gen. Agnus, since much could be added to such a foundation statement. So a note of the time and circumstances was made - just in case. For all the Secretary knew, Gen. Agnus was enjoying a personal satisfaction in having solved, with choice liquor and in a few hours, a problem that had been baffling the City and its Stadium experts for several months.

30



and just and true to the best of the petitioner's knowledge and belief  
the petitioner, aforesaid, who made affirmation in due form of law, that the matters and facts stated in the foregoing petition  
are just and true to the best of the petitioner's knowledge and belief  
Notary Public  
Justice of the Peace in the State of Maryland and for Baltimore City

STATE OF MARYLAND, BALTIMORE CITY, ss.

Signature of Petitioner

Address

JUL 23 1940

A. D. 19... personally appeared before me, a

**RECOMMEND THE  
FOLLOWING ABATEMENTS**

On Lot.....For 19  
On Imp.....  
Assessor.....

W. 9 S. 20 B. 40581 L. 26

No. 6804

**PETITION  
FOR  
Reduction of Assessment  
on Real Estate**

Walter K. Mabel B. Harrison  
(Name)

750 E. 36th St.  
(Location)

Mailing Address  
Same

Filed 19

Present Assessment

960 Lot

3400 Impt.

Abatement Ordered

On Lot.....

On Impt.....

Manager.

Decided 19

M/K

TO THE BUREAU OF ASSESSMENT:

by the owner, or by a duly authorized representative.

PETITION FOR REDUCTION OF ASSESSMENT ON REAL ESTATE

MUNICIPAL OFFICE BUILDING, BALTIMORE  
BUREAU OF ASSESSMENT

RECEIVED  
JUL 23 1940  
BUREAU OF  
ASSESSMENT



## BUREAU OF ASSESSMENT

MUNICIPAL OFFICE BUILDING, BALTIMORE

RECEIVED  
JUN 27 1940  
BUREAU OF  
ASSESSMENT

## PETITION FOR REDUCTION OF ASSESSMENT ON REAL ESTATE

This petition must be filed at the office of the Bureau of Assessment before July 1st, signed and sworn to by the owner, or by a duly authorized representative.

TO THE BUREAU OF ASSESSMENT:

The undersigned petitions for a reduction for next year in the assessment of the property herein described, and certifies to the following facts:

The lot is located on the north side of 750 E. 36<sup>th</sup> street,  
and is known as No. 750 E. 36<sup>th</sup> street,

1. Full name of present owner Walter K. & Michel B. Harrison
2. When did you acquire the property and at what price? Sept 1927 - \$5000.00
3. What was the amount of mortgage, if any, at time of purchase? \$3500.00
4. What was the amount of ground rent, if any, at time of purchase? \$80.00 yr.
5. What, if any, is the present amount of encumbrance on the property? Ground Rent \$80.00 yr.  
Mortgage None
6. How much has been expended in improving the property since you have owned it? Only ordinary repairs and Maint.
7. If rented, what is the date and term of lease? Not rented
8. What is the amount of gross monthly rental contracted for? None
9. If the property is not rented, what, in your judgment, could it be rented for? \$40.00 per mo.
10. Full value of lot and improvements in fee simple, without looking to a forced sale. \$4500.00

Give reasons in support to your answer to question No. 10.

This property is now 13 yrs. old and cost more each year to keep in condition. Then, also the original price of 5000.00 was more than the actual worth at time purchased. Considering yearly depreciation, taxes and repairs I hardly could expect to receive more than \$3300.00 on a free and open sale.

Signature of Petitioner

Address

STATE OF MARYLAND, BALTIMORE CITY, ss.

On this JUN 27 1940 day of June A. D., 1940, personally appeared before me, a

Justice of the Peace in the State of Maryland and for Baltimore City

Notary Public.

Assessor.

the petitioner aforesaid, who made oath in due form of law, that the matters and facts stated in the foregoing petition are just and true to the best of the petitioner's knowledge and belief.

60/58 1160/3500  
20X91 28.6v.10.  
compare with 742-6-4  
752 3300  
750 is as 3400  
H.A.

Wd. 9 Sec. 13 Bl. 4058A Lot 26  
No. 6841 8726

PETITION  
FOR  
Reduction of Assessment  
on Real Estate

RECOMMEND THE  
FOLLOWING ABATEMENTS

On Lot none For 19340  
On Imp. none

Name Walter H. Harrison Assessor 9/1/39

Location 750 E. 36th St.

Address of Petitioner

3 E. Henrietta St.

Filed 193.

Present Assessment

Lot 1160

Impt. 3500

Abatement Ordered

On Lot none

On Impt. none

[Signature]  
Manager.

Decided 193.

28

SEP 7 1939  
MK

## BUREAU OF ASSESSMENT

MUNICIPAL OFFICE BUILDING, BALTIMORE

JUN 28 1939  
BUREAU OF  
ASSESSMENT

## PETITION FOR REDUCTION OF ASSESSMENT ON REAL ESTATE

This petition must be filed at the office of the Bureau of Assessment before July 1st, signed and sworn to by the owner, or by a duly authorized representative.

TO THE BUREAU OF ASSESSMENT:

The undersigned petitions for a reduction for next year in the assessment of the property herein described, and certifies to the following facts:

The lot is located on the north side of E. 36<sup>th</sup> street,  
and is known as No. 750 E. 36<sup>th</sup> street,

1. Full name of present owner Walter K. and Mabel B. Harrison
2. When did you acquire the property and at what price? Sept. 1927 @ \$5000.00
3. What was the amount of mortgage, if any, at time of purchase? \$3500.00
4. What was the amount of ground rent, if any, at time of purchase? \$0.00 per year
5. What, if any, is the present amount of encumbrance on the property?
 

Ground Rent	<u>\$133.33 on \$5000 yr</u>
Mortgage	<u>350.00</u>
6. How much has been expended in improving the property since you have owned it? Only ordinary repairs \$600.00
7. If rented, what is the date and term of lease? month to month basis. Attache \$5.00 per mo.
8. What is the amount of gross monthly rental contracted for? \$45.00 per month
9. If the property is not rented, what, in your judgment, could it be rented for? ✓
10. Full value of lot and improvements in fee simple, without looking to a forced sale. Lot \$1160.00 Imp \$3000.00 or \$4160.00

Give reasons in support to your answer to question No. 10.

agreement  
1. Rented as 2 Flats @ gross rental of \$45.00 per month with the  
that owner furnishes the coal for heating. \$540.00

Gross Income @ \$45.00 per month.

Less Expenses:

Coal for heating 7 1/2 tons @ 9.50 per ton  
City, State Taxes & Water Rent  
Ground Rent

\$ 71.75

155.00

80.00

306.75

\$ 233.75

Net Income, which does not take into account  
Ordinary Repairs, Papering and Painting at a conservative  
estimate of 50.00 per year.

The house is now 12 yrs old and I suppose it would sell for 3000.00 or 3150.00  
as to lot it is assessed \$1160.00 and I don't suppose it could be bought for less than  
yearly ground rent. I feel a 500.00 reduction in assessment would be justified  
in view of the above statements.

Signature of Petitioner

Address

STATE OF MARYLAND, BALTIMORE CITY, ss.

On this 29<sup>th</sup> day of June, A. D., 1939, personally appeared before me, a

Justice of the Peace in the State of Maryland and for Baltimore City

Notary Public.

Assessor.

the petitioner aforesaid, who made oath in due form of law, that the matters and facts stated in the foregoing petition  
are just and true to the best of the petitioner's knowledge and belief.

My Comm. Exp. March 2, 1941

Notary Public

Wd. 9 Sec. 9 Bl. 3986 Lot 1

No. 87

PETITION  
FOR

**Reduction of Assessment  
on Real Estate**

Name Frederick E. Green

Location 1200 East 33rd Street

Address of Petitioner 18

2714 Euclid Ave

Filed 193

**Present Assessment**

Lot \$2,950.00 ✓

Impt. 12,500.00 ✓

**Abatement Ordered**

On Lot none

On Impt. 1000-

[Signature]  
Manager.

Decided 193

**RECOMMEND THE  
FOLLOWING ABATEMENTS**

On Lot none For 1934 ✓

On Impt. 1000-

[Signature] Assessor 8/21/44

Pair 1943-13500700

Cottage 11900  
2513 D.W.

B. Green 600-

near State St

Amputated as early as 40

120 V + 8

25 B 1st 2nd

Stone front

1204 - 6 beam det

1210 same as 1200

1320 sq ft at 530

1200 sq ft same

gap 1200 sq ft



## BUREAU OF ASSESSMENT

MUNICIPAL OFFICE BUILDING, BALTIMORE

## PETITION FOR REDUCTION OF ASSESSMENT ON REAL ESTATE

This petition must be filed at the office of the Bureau of Assessment before July 1st, signed and sworn to by the owner, or by a duly authorized representative.

193.....

TO THE BUREAU OF ASSESSMENT:

The undersigned petitions for a reduction for next year in the assessment of the property herein described, and certifies to the following facts:

The lot is located on the north side of East Thirty-third street,

and is known as No. 1200 East Thirty-third street,

1. Full name of present owner Frederick E. Green and Minnie C. Green, his wife
2. When did you acquire the property and at what price? August 25th, 1943 \$13,500.00
3. What was the amount of mortgage, if any, at time of purchase? None
4. What was the amount of ground rent, if any, at time of purchase? fee simple
5. What, if any, is the present amount of encumbrance on the property?
 

Ground Rent.....	<u>none</u>
Mortgage.....	<u>\$4,000.00</u>
6. How much has been expended in improving the property since you have owned it? none
7. If rented, what is the date and term of lease? none
8. What is the amount of gross monthly rental contracted for? none
9. If the property is not rented, what, in your judgment, could it be rented for? family residence
10. Full value of lot and improvements in fee simple, without looking to a forced sale \$13,500.00

Give reasons in support to your answer to question No. 10.

This is the price I paid for the house  
and land on August 25th, 1943.

The house is in need of moderate repairs.

NOV 3 1943

BUREAU OF ASSESSMENT

Signature of Petitioner

Address 2714 Guilford Ave., Balto., Md.

STATE OF MARYLAND, BALTIMORE CITY, ss.

On this 27th day of October A. D., 1943 personally appeared before me, a

~~Notary Public~~ the State of Maryland and for Baltimore City Frederick E. Green

~~Notary Public~~

Unit 43 1200 6500 7700  
Lot size 27' x 90' (neg)  
7/1/39 first plat. Tax fall cover ft

2 story Stone Drwg  
27' x 65' → 6500  
27' x 42  
Previously reduced 1300 for  
1934 by C.A. 7/16/42

This is corner of group  
Side entrance - basement  
Sale at #918 E. 36<sup>th</sup> St. (next dom)  
Stp. 4<sup>90</sup> } 6/7/39 - 5926/458  
G.R. 120 }

#1018 / 2<sup>nd</sup> floor Apt. Rents \$50 per mo  
opposite corner 1<sup>st</sup> floor Apt. estimate \$50 "

Above sustained assessment  
None

W. 9 S 21 B. 3977 L. 11  
No. 802

PETITION FOR  
Reduction of Assessment  
on Real Estate

Lee E. Stables  
(Name)  
920 E. 36<sup>th</sup> St.  
(Location)

Mailing Address  
Same

Filed 19

Present Assessment

Lot 1200

Impt. 6500

Abatement Ordered

On Lot none

On Imp. none

M. S. Patrick  
Manager.

Decided 19

RECOMMEND THE  
FOLLOWING ABATEMENTS

On Lot none For 19 43

On Imp. none

Schiaffino Assessor 7/23/42

REK

## BUREAU OF ASSESSMENT

MUNICIPAL OFFICE BUILDING, BALTIMORE

RECEIVED

JUN 19 1942

## PETITION FOR REDUCTION OF ASSESSMENT ON REAL ESTATE

This petition must be filed at the office of the Bureau of Assessment before July 1st. All questions must be answered. If signed by another than the owner of the property, Power of Attorney must accompany the petition.

June 12 1942.

TO THE BUREAU OF ASSESSMENT:

The undersigned petitions for a reduction for next year in the assessment of the property herein described, and certifies to the following facts:

The lot is located on the north side of E. 36th street,  
and is known as No. 920 E. 36th street,

1. Full name of present owner Lee E. Staples
2. When did you acquire the property and at what price? August 15, 1941; \$4,600 subject to G.R.
3. What was the amount of mortgage, if any, at time of purchase? \$4,300 (created August 15, 1941)
4. What was the amount of ground rent, if any, at time of purchase? \$2,000 (created August 15, 1941)
5. What, if any, is the present amount of encumbrance on the property?
 

Ground Rent	<u>\$2,000</u>
Mortgage	<u>4,300</u>
6. How much has been expended in improving the property since you have owned it? None
7. If rented, what is the date and term of lease? -
8. What is the amount of gross monthly rental contracted for? -
9. If the property is not rented, what, in your judgment, could it be rented for? \$60 per month
10. Full value of lot and improvements in fee simple, without looking to a forced sale. \$6,000

Give reasons in support to your answer to question No. 10.

For the 18 months preceding August 15, 1941, during which period the property was vacant and offered for sale, the former owner received numerous offers for the property, all of which offers were far less than \$6,000. I was able to buy the property with a minimum down payment only by offering a greater price and by having the former owner agree to hold the newly created mortgage until it was reduced to \$3,000 - \$3,500, the amounts approved, based on appraisals, by public lending institutions.

Signature of Petitioner

*Lee E. Staples*Address 920 E. 36th Street

STATE OF MARYLAND, BALTIMORE CITY, ss.

On this 16th day of June A. D., 1942, personally appeared before me, a

Justice of the Peace in the State of Maryland and for Baltimore City

Lee E. Staples

Notary Public.

Assessor.

the petitioner aforesaid, who made <sup>each</sup> affirmation in due form of law, that the matters and facts stated in the foregoing petition are just and true to the best of the petitioner's knowledge and belief.

*Anita E. Brack*

Anita E. Brack Notary Public

May 11, 1936

Mr. J. V. Kelly, Secretary  
Board of Park Commissioners,  
Druid Hill Park  
Baltimore, Maryland

Dear Sir:-

Please refer to your letter of April 16th in which you request an opinion as to whether charges for admission to City-owned swimming pools and golf courses, and to the Baltimore Stadium, are taxable under Chapter 10 of the Laws of Maryland 1936.

As to charges for admission to City-owned swimming pools and golf courses, it would seem, under the authorities, that it was not the intention of the Legislature to extend the statute to include these operations of the Mayor and City Council of Baltimore acting through the Board of Park Commissioners.

While the language of the statute, literally construed, is broad enough to cover the cases in point, nevertheless the result of applying the tax to these municipal operations would be inconsistent with the main purpose of the statute, repugnant to the general rule of construction which excludes the property and operations of municipal corporations from general tax laws, and would create more or less impractical and unreasonable conditions in the administration of the taxing statute.

In my opinion, therefore, the statute does not apply to charges for admission to City-owned swimming pools and golf courses. As this opinion, however, depends upon the question of construction, the only manner in which its validity can be tested is to refuse to pay the tax and to invite the State to institute legal proceedings for its collection.

With reference to athletic events held at the Baltimore Stadium under "use permits" issued by the Park Board, a different question is presented. These events have not the character of municipal functions, but are conducted as private enterprises by licensees, or permittees, of the Park Board. Charges for admission to such events are, most probably, taxable under the Act.

I suggest that the Park Board insert a special clause in the "use permits" issued for such events to the effect that the permittee, or licensee, shall be responsible for the payment of all Federal, State and City taxes incident to the use of the premises.

Very truly yours,

(Signed)

R. E. L. Marshall

City Solicitor



31

PERMIT FOR NEW BUILDINGS - SPECIAL STRUCTURES - ADDITIONS - ALTERATIONS - REPAIRS - RAZING - MOVING  
LICENSES - MISCELLANEOUS WORK

PERMIT FEE

\$ 1.00

MAYOR AND CITY COUNCIL OF BALTIMORE  
DEPARTMENT OF PUBLIC WORKS  
BUREAU OF BUILDINGS

PERMIT NO. B 29497

SUBJECT TO COMPLIANCE WITH ALL ORDINANCES, RULES AND REGULATIONS OF THE CITY OF BALTIMORE, AND THE APPLICATION, APPROVED DRAWINGS, SPECIFICATIONS AND ALL DATA ATTACHED HERETO, FILED AT THIS OFFICE IN CONNECTION WITH THIS PERMIT.

PERMISSION IS HEREBY GRANTED TO:

FRED GREEN

FOR  
ERECT WALL IN FRONT OF LAWN THE WIDTH OF LOT, FIVE BRICK PIERS 3'6" HIGH,  
WALL TO BE ABOUT 2'6" BETWEEN PIERS, CONCRETE FOOTING UNDER PIERS AND WALL.  
BRICK PIERS TO BE 17" X 17" X 3'6" HIGH, WALL BETWEEN PIERS 2'6" HIGH,  
LENGTH OF WALL 59'. TO BE ERECTED ENTIRELY ON PRIVATE PROPERTY  
LOCATED AT 1200 E. 33RD STREET

ESTIMATED COST OF WORK \$ 400.00

THIS IS MISCELLANEOUS

PERMIT

THIS PERMIT DOES NOT INCLUDE INSTALLATION OF  
FOOTWAYS, ELECTRICAL OR MECHANICAL EQUIPMENT,  
PROJECTIONS INTO STREETS OR OTHER PUBLIC WAYS  
OR ANY OTHER WORK OR OPERATIONS REQUIRING  
A SEPARATE PERMIT.

ISSUED BY

H. F. LUCKE, JR.  
J. A. CLARKE  
BUILDINGS ENGINEER

WPB NOTICE

WARD DIV. BLOCK LOT

9 19 3986 1

PER W. S. FLOWER

EXPIRATION DATE OF THIS PERMIT

SEE OTHER SIDE

DATE ISSUED 4-4-45

(OVER)

EE EYBS

M E M O R A N D U M

TO: Edwin Harlan, Deputy City Solicitor

FROM: Samuel R. DiPaula, Assistant Claim Manager

SUBJECT: Facts to be testified to by Park Police Lt. Millard J. Livingston,  
5504 Hamlet Avenue (Clifton 1247)

DATE: March 8, 1948

---

1. That he has been assigned to the majority of events that took place at the Stadium from 1940 up to the present time; that in the year 1940 he was there as a Sergeant and in 1946 he was elevated to Lieutenant, and has been in supervisory charge of the Park Police at the Stadium since 1946.

2. That the assignment of Park Policemen at the Stadium depends on the size of the expected crowd and game; that for the larger events, such as, Navy-Notre Dame, etc. and the larger baseball games, as many as thirty (30) patrolmen are detailed; that generally at fairly well attended games fifteen (15) Park Patrolmen are assigned, and when very small crowds are in attendance there are as few as four (4) men on duty.

3. That all Park Patrolmen are stationed inside of the Stadium, with the exception of very large games, at which time some of the men are assigned to the gates on the east and west sides and the main Administration Building entrances.

4. That Park Patrolmen do not go into the Stadium stands, unless to make an arrest.

5. That any complaints having to do with any violation needing police attention would be referred to either him or Lt. Urspruch.

6. That neither he nor Lt. Urspruch ever received a complaint from anyone with regard to a) vandalism to property of nearby residents, b) trampling of lawns on property of nearby residents, c) urination on lawns of property of nearby residents, d) illegal parking in the alleys in the rear of nearby residences, e) noise made by the public address system during any games.

7. That he had heard of complaints being received at the Clerk's Desk at the Administration Building about the public address system, and that the Clerk would order the public address system toned down, but to his own knowledge these were very few indeed.

8. That the general conduct of the patrons attending the various games has been no different since the Orioles began playing baseball there in 1940; that the patrons of the baseball games are no different in appearance than the patrons of football games; that the Orioles do not attract an undesirable or unruly element at the Stadium.

9. That the arrest record for the Stadium is small and almost trivial in nature as compared with the number of, and seriousness of, arrests made in other public parks scattered throughout the City.

10. That the records of the Park Police discloses that there were twenty-one (21) arrests made by the Park Police on Stadium property during the year 1947, and a breakdown of these twenty-one (21) arrests showed that eleven (11) of them occurred during football games (other than high school games), four (4) of them on dates on which no games or contests were played, three (3) of them during the playing of high school football games and only three (3) during the playing of Oriole baseball games.

11. That during the year 1944 there were no arrests at the Stadium for any causes whatsoever; that during 1945 there was one (1) arrest at a baseball game; and that during 1946 there were but three (3) arrests made by the Stadium Police during the playing of Oriole baseball games.

12. That all told, from the year 1940 up to and including the year 1947 the record of arrests made by the Park Police at the Stadium total in their entirety thirty-five (35) arrests.

Attached hereto is a computation of the arrests made at the Stadium for the years 1940 to 1947, inclusive, by the Park Police and by the Baltimore City Police, together with a recapitulation for both departments.

---

SAMUEL R. DI PAULA  
Assistant Claim Manager



# RECORD OF ARRESTS MADE AT STADIUM

1940 - 1947

YEAR	PARK POLICE ARRESTS	CITY POLICE ARRESTS
1940	9/21--1 arrest, Rule #21, Dismissed (City vs. Fork Union)	
1941	6/11--1 arrest, Rule #21 (assault), Fined (Tall Cedars Rodeo)	
	10/18--1 arrest, Rule #18 & assault, Fined both counts (Forest Park vs. Severn)	
	1 arrest, Rule #18 & 21 (assault) Fined on all charges	
	11/8--1 arrest, Rule #18, Dismissed (City vs. Forest Park)	
	1 arrest, Rule #21, Collateral forfeited	
1942	10/18--1 arrest, Rule #21, Dismissed (no game)	
	11/20--1 arrest, Rule #18, Dismissed (no game)	
	1 arrest, Rule #18, Dismissed	
	11/21--1 arrest, Rule #18 (Peeping Tom), Fined (City vs. Poly)	
1943	(No record of arrests)	

YEAR	PARK POLICE ARRESTS	CITY POLICE ARRESTS
1944		8/5--1 arrest, Dismissed ) 1 arrest, Fined ) (Orioles vs. Buffalo)
		9/4--1 arrest, Fined (Redskins vs. Green Bay Packers)
1945	6/6--1 arrest, Rule #4, Dismissed (Orioles vs. Rochester)	10/20--2 arrests, both fined (Navy vs. Georgia)
1946	6/11--3 arrests, Rule #18, all fined (Orioles vs. Buffalo)	4/28--8 arrests, all fined (Orioles vs. Montreal)
		7/26--4 arrests, all fined (Orioles vs. Montreal)
		7/27--1 arrest, Fined (orioles vs. Montreal)
		8/4--1 arrest , throwing bottle, drunk, Fined (Orioles vs. Toronto)
		9/14--1 arrest, Dismissed (Orioles vs. Syracuse)
1947	4/20--1 arrest, Rules #18 & 21, Dismissed on Rule #18, Fined on Rule #21 (Orioles vs. Montreal)	4/20--Same as Park Police Records this date
	6/13--2 arrests, Rule #21, both fined (no game)	6/5--1 arrest, disorderly conduct, Fined (Orioles vs. Montreal)
	7/26--1 arrest, Rule #21, Fined (Orioles vs. Montreal)	7/26--Same as Park Police Records this date
	8/6--Breaking & entering (13 yr. old boy) Probation (no game)	8/31--1 arrest, Rule #21, Fined (Orioles vs. Newark)
	8/31--1 arrest, Rule #21, Fined (Orioles vs. Newark)	9/26--2 arrest, 1 fined, 1 dismissed (Poly vs. Southern)

YEAR	PARK POLICE ARRESTS	CITY POLICE ARRESTS
	<p>9/21--1 arrest, Climbing over fence &amp; whiskey in possession, Fined both counts (Redskins)</p> <p>9/28--7 arrests; Rule #18--7 charges, 2 fined, 5 dismissed; Rule #20, 5 charges, 2 fined, 3 dismissed; 1 charge of assault, fined (Colts)</p> <p>10/3--1 arrest, Rule #18 (Peeping Tom), Fined (Poly vs. Patterson)</p> <p>10/5--1 arrest, Disorderly conduct, Rule #18, Fined (Colts vs. San Francisco)</p> <p>10/17--2 arrests 1) Rule #18, Fined, 2) Rule #27, Fined (City vs. Patterson)</p> <p>10/26--1 arrest, Rule #21, Fined (U.S. Marines vs. Patuxent Naval Base)</p> <p>12/8--1 arrest, Larceny, Committed to Rosewood (no game)</p>	<p>9/21--Same as Park Police Records this date</p> <p>9/28--Same as Park Police Records this date</p> <p>10/3--Same as Park Police Records this date</p> <p>10/5--Same as Park Police Records this date</p> <p>10/17--Same as Park Police Records this date</p> <p>10/19--1 arrest, larceny football marker, Fined (Colts)</p> <p>12/7--2 arrests, Disorderly conduct, both fined (Colts vs. Cleveland)</p>
<p>LEGEND:</p> <p>Rule #18--Disorderly conduct in public park</p> <p>Rule #20--Liquor in possession in public park</p> <p>Rule #21--Drunk in public park</p> <p>Rule #27--Climbing fences in public park</p>		

RECAPITULATION OF ARRESTS MADE AT STADIUM  
1940 - 1947

YEAR	PARK POLICE RECORDS - 1940-1947			BALTIMORE CITY POLICE DEPT. RECORDS - 1944-1947		
	EVENT	NO. OF ARRESTS	YEARLY NO. OF ARRESTS	EVENT	NO. OF ARRESTS	YEARLY NO. OF ARRESTS
1940	High School	1	1		None	
1941	High School	4	5		None	
	Miscellaneous	1				
1942	High School	1	4		None	
	Miscellaneous	3				
1943		None			None	
1944		None		Football	1	2
				Baseball	1	
1945	Baseball	1	1	Football	2	2
1946	Baseball	3	3	Baseball	15	15
1947	Football	11	21			22
	High School	3		Football	12	
	Baseball	3		High School	5	
	Miscellaneous	4		Baseball	4	
				Miscellaneous	1	
TOTAL ARRESTS FOR 8 YEARS.....			35	TOTAL ARRESTS FOR 4 YEARS.....		

NOTE: In comparing the Park Police Records against the Baltimore City Police records, there would be a total of 18 arrests for the year 1946 at baseball games and, likewise, in comparing the record of arrests for both departments for the year 1947 there were 4 arrests by the Baltimore City Police, showing one more than the Park Police.



78

Lt. Gibbins

Name: Boulevard 391-W

Sub-station: Ha. 5100

POLICE DEPARTMENT  
CITY OF BALTIMORE

# REPORT

Northeastern DISTRICT Jan. 10 1948

Captain Oscar Koch:-

Sir: Between July 1944 and Sept. 1947

the following automobiles were given summons to Traffic Court for parking in alleys at the following locations.

Aug. 21, 1944 auto Md. Lic. 38-590 listed to Augusta Reubens, 3226 Fallstaff Rd. obstructing private garage near of 1209 Lakeside Ave.

Nov. 8, 1947 auto Md. Lic. 38-693 listed to Yankee Lines Inc. 1122 S. Paca St. alley along side 1327 E. 35th St. Proh. zone.

Nov. 8, 1947 auto Md. Lic. 79-452 listed to Morris Cohen 1819 Morley Ave. alley along side 1327 E. 35th St. Proh. zone.

Nov. 8, 1947 auto VA. Lic. 45-981 in alley along side of 1327 E. 35th St. Proh. zone.

Nov. 8, 1947 auto Pa. Lic. 4 R.S. 45 in alley blocking private driveway near 1122 E. 36th St.

Nov. 8, 1947 auto TENN. Lic. 2-8197 alley along side of 1322 Windemere Ave. Proh. zone.

Nov. 8, 1947 auto Md. Lic. 61-981 listed to John Roebeling & Son 7900 Bowens Ave. alley along side of 1325 Windemere Ave. Parking Proh. zone.

Off. Roland J. Fullen.

cont. on sheet #2.

POLICE DEPARTMENT  
CITY OF BALTIMORE

## REPORT

Northwestern

DISTRICT

Jan. 10,

1948

Captain Oscar Koch:-

Sir:

Continued from sheet #1

Nov. 8, 1947 auto. D.C. Lic. 207-800 in alley along  
side of 1322 Windemere Ave. Parking Proh. zone.  
Nov. 8, 1947 auto Missouri Lic. 260-499 in alley  
along side of 1322 Windemere Ave. Parking Proh. zone.

Respectfully,  
Off. Roland J. Fullem.



POLICE DEPARTMENT  
CITY OF BALTIMORE

## REPORT

Northeastern

DISTRICT

Jan 10

1947

Captain Oscar Koch

Sir:

I respectfully report that from July 1944 to Sept 1947 I issued 18 summons for obstructing the Alleys in Vicinity Edmon Rd and Lock Raven Rd.

Respectfully

Off Chester S. Kotowski

11

POLICE DEPARTMENT  
CITY OF BALTIMORE

# REPORT

N.E.

DISTRICT

Jan. 11 1948

Captain Oscar Koch:

Sir:

I issued traffic court summons for parking violations in the vicinity of the Baltimore Stadium on the following dates

Aug. 28, 1945 - 7 sum.

Oct. 20, 1945 - 3 sum.

July 9 1946 - 12 sum.

July 12, 1946 23 sum.

July 20, 1946 - 16 sum.

No parking signs were placed in the alleys in the above vicinity whenever ordered to do so, by my superior officers.

Respectfully

Off. Joseph Jarowski

January 14-1948

Mr. Li Paula;

The enclosed report from  
Off. Jarowski winds up our in-  
vestigation in the Northeastern  
District. However should anything  
develop on this end that may be  
of use to you, I will forward it.

Whenever you need me,  
let me know.

Respectfully,  
Lieut. Aug. W. Gribbin

POLICE DEPARTMENT  
CITY OF BALTIMORE

## REPORT

N. E.

DISTRICT

Jan 9

19 48

Captain Oscar Koch

Sir:

I respectfully report the following automobiles tagged on Oct. 19, 1947, in alley in vicinity of Stadium.

Md 134-949. Alley side of 3600 Elkader Rd.

Md 142-213 Alley rear of 3618 Elkader Rd.

Md 48-743 Alley side of 3600 Kimble Rd.

Respectfully

Off. James M. Leaverton



POLICE DEPARTMENT  
CITY OF BALTIMORE

## REPORT

N. E.

DISTRICT

Jan. 10

19 48

Captain Oscar Koch

Sir:

I respectfully report Off. Roland Fullem and myself put up no parking signs in alley on the north side of 600 + 700 Blk's of E. 35th St., several months ago, date unknown.

Respectfully  
Off. James M. Leverton

POLICE DEPARTMENT  
CITY OF BALTIMORE

# REPORT

N.E.

DISTRICT

Jan 9, 1948

Captain Oscar Koch

Sir:

I respectfully report, that I have issued summonses for parking in alley's & blocking driveway from book no # 200 - summonses no # from 43 to 50. In the vicinity of the stadium. Sept. 28<sup>th</sup>. 1947

Other summonses that I have issued in the vicinity of the stadium, book's have been turned in to N.E. station.

From July 1944 to Sept. 1947 I tagged approximately about 75 cars for the above violations - exact dates unknown.

Respectfully

J. Peter J. Cocano

POLICE DEPARTMENT  
CITY OF BALTIMORE

## REPORT

Northeastern DISTRICT January 9, 19 48.

Captain Oscar Koch

Sir: In November 15, 1947, a Buick sedan  
Md Lic. 30-532 owned by Robert + Mildred Little,  
3333 N. Charles St. was parked in the alley in the  
rear of 1211 E. 35<sup>th</sup> St. In this alley was a police  
sign saying No Parking in this Alley. Mr Little was  
asked by the people at the above address not to park  
but he told them he would park anyplace he could.  
He was tagged by me this date (Nov. 15, 1947)

Respectfully  
Off. John Blume

POLICE DEPARTMENT  
CITY OF BALTIMORE

# REPORT

N. E. DISTRICT Jan 10 19 48

Captain Oscar Poch

Sir:

Reference of automobiles tagged  
Since July 1947 in the alleys in the  
vicinity of the Stadium I wish to state  
the following automobiles are

Md Lic 123-555 near 1207 Windemere or Pontiac  
owned by Margt E Nelson 408 S. Hanover St

Md Lic 370-516 near 1207 Windemere or Dodge Sedan  
owned by Mr Paul B Cassill Hilton Farms Etonville Md

Md Lic 58-014 near 1207 Windemere Pontiac Sedan  
owned by J Stanley Harrison 3737 Beech Ave

Md Lic 444-117 near 1300 Lakeside Ford Coach  
owned by David D Brill Liberty Rd Randallstown Md

Md Lic 132-656 near 1304 Lakeside Plymouth Coach  
owned by Mr Ernest Johnson 1304 Lakeside  
said Car was tagged on Nov 8 1947 between 243<sup>PM</sup> 3<sup>PM</sup>  
Car was set for Dec 24 1947 at 10<sup>00</sup> AM

Respectfully  
Radio #27 A Edwin A. Burton



\$250,674.71 Owles 1944-47 Inc.  
189,501.27 Other events  

---

\$440,175.98 Total Receipts.

\$342,080.27 maintenance  
expenses 1944-47 Inc.

# COPY

Exhibit No. 15

## CITY SOLICITOR'S OFFICE

### L E G E N D

1945-87

- 9-19-3986-1 — 1) Home of Mr. and Mrs. Frederick E. Green, 1200 East Thirty-third Street
- 9-19-3986A-3 — 2) Home of Mr. Leo J. Streb, 1204 Lakeside Avenue 1946
- 9-19-3989-21 — 3) Home of Mr. Harry Y. Wright, 1318 Lakeside Avenue 1946
- 9-19-3989-10 — 4) Home of Mr. Henry C. Spates, 1319 Windemere Avenue 1946
- 9-19-3989-3 — 5) Home of Mr. Charles H. Whitby, III, 1305 Windemere Avenue 1947
- 9-21-3986D-4 ✓ 6) Home of Dr. and Mrs. J. Willis Cyton, 1207 East Thirty-sixth Street 1946
- 9-21-3984-4 — ✓ 7) Home of Mr. William D. Gentry, 1106 East Thirty-sixth Street 0
- 9-21-3984-37 — ✓ 8) Home of Mr. Wilfred E. Gosnell, 3621 Kimble Road - 1946
- 9-21-3982-16 9) Home of Mr. Chester W. Vandusen, 3612 Roxmere Road 0 Bought in 1933 - 70 Stps
- 9-21-3977-11 ✓ 10) Home of Mr. Lee E. Staples, 920 East Thirty-sixth Street - 1943-802
- 9-20-4057A-40 ✓ 11) Home of Dr. and Mrs. Z. Vance Hooper, 3534 Ellersly Avenue ✓ - 1946
- 9-20-4058A-26 - 12) Home of Mr. Walter R. Harrison, 750 East Thirty-sixth Street ✓ 1940-6841 Act 1927  
1941-6804  
1946-
- 9-2-4050E-77 - 13) Home of Miss Jennie Sophie Hayen, 3308 Ellersly Avenue - 0 Bought in 1924 - 70 Stps
- 9-2-4053-36 - 14) Home of Mr. and Mrs. Frederick Thomas, 726 East Thirty-third Street - 0 Bought many years ago  
no change  
pr 1973
- 15) Eastern High School
- 16) Baltimore City College

2 October 1947  
1010 East 36th Street  
Baltimore, 18, Md.

Mr. C. A. Hook, Supt.  
Clifton Division  
Baltimore Stadium  
Baltimore 18, Md.

Dear Mr. Hook:

It was with a keen sense of disappointment that I read your reply dated 29 September 1947 to my letter to the Honorable Mayor D'Alesandro.

Your assumption that I was referring only to night affairs in the Stadium is not correct nor is your assumption that I was referring to the exuberance of the spectators. I can assure you that, as a resident of seventeen years in this location, I am aware of the difference between audience enthusiasm and volume of the public address system. As stated in my original letter, my complaint is directed specifically at the latter. May I further state that it has only been within the last two years that this volume has reached the nuisance stage.

It is with hesitation that I offer any suggestions to alleviate this condition as I am far from being an acoustical engineer. However, it has been my observation that the public address speakers are not directed accurately at the audience but seem to be aimed nearer to the top of the Stadium. Possibly an adjustment in this respect together with a decrease in the volume may be the answer.

Your personnel attention and sympathetic attitude would be greatly appreciated in this matter.

Very truly yours,

*Richard G. Bilger*

Richard G. Bilger

cc: The Honorable Mayor Thomas D'Alesandro

BOARD OF PARK COMMISSIONERS

BALTIMORE

COPY

September 29, 1947

Mr. Richard G. Bilger  
1010 East 36th Street  
Baltimore 18, Maryland

Dear Mr. Bilger:

In reply to your letter to His Honor, Mayor  
Thomas D'Alesandro concerning the public address system at  
the Baltimore Municipal Stadium.

We are assuming that your complaint is directed  
at night events at the Stadium of which all are High School  
Football Games and from my observation it is not the public  
address system which is too loud, but the spirit of the game  
between the Cheer Leaders and the spectators in unison that  
may lead you to believe it is the public address system.

I would appreciate it if you would be kind  
enough to accept my invitation to attend one of these games  
with me.

Hoping to hear from you soon, I am

Very truly yours,

G. A. Hook, Supt.  
Clifton Division,  
Baltimore Stadium

GH/g

cc: The Honorable Mayor Thomas D'Alesandro



COPY  
MAYOR'S OFFICE  
BALTIMORE

September 25, 1947

Mr. Richard G. Bilger  
1010 East 36th Street  
Baltimore 18, Maryland

Dear Mr. Bilger:

Your letter of September 24th complaining about the volume of the public addressing system in use at the Municipal Stadium, has been received.

Please be assured that I am ready at all times to assist whenever possible and I am immediately referring this matter to the Board of Recreation and Parks, attention of Mr. Hook, Superintendent of the Stadium, who will communicate with you regarding it.

Thank you for writing to me in this connection.

Sincerely yours,

*Thomas W. Alexander, Jr.*

Mayor

lp

cc to Board of Recreation and Parks, Attention of Mr. Hook

REC'D SEP 24 1947

1010 East 36th Street  
Baltimore, 18, Md.

The Honorable Thomas D'Alesandro  
Mayor of Baltimore, Maryland

Dear Mr. Mayor:

Knowing of your reputation for civic betterment and of your open mind for constructive criticism, your aid is respectfully requested in correcting a condition which unfairly interferes with the reasonable and comfortable enjoyment of my home.

Although my home is directly behind the Baltimore Stadium, my complaint is not directed at the Orioles in general, nor the dust in general, nor the car parking situation in general, but upon the volume of the public address system in particular. At practically every function - whether it be civic or commercial - this volume has been adjusted far louder than is necessary for effective consumption within the Stadium.

Moreover, this situation is made even more objectionable because none of the authorities whom I have contacted will admit responsibility nor effect relief. The Northern Police station refers me to the Park Board, who, in turn, refer me to the School Board, etc., etc.

Consequently, Mr. Mayor, I turn to you for help in correcting this seemingly minor but most annoying nuisance.

Very respectfully yours,

*Richard G. Bilger*

Richard G. Bilger

BOARD OF PARK COMMISSIONERS

BALTIMORE

*File*  
COPY

April 30, 1947

Mrs. R. G. Bilger  
1010 E. 36th Street  
Baltimore 18, Maryland

Dear Mrs. Bilger:

This letter is in reply to yours of recent date concerning certain conditions at the Stadium which you would like to have improved.

- 1 - Loud speaker. Mr. Herbert Armstrong, the business manager of the Baltimore Orioles, has willingly complied with our request to reduce the volume.
- 2 - Dust nuisance. The Highways Engineer, Mr. Fischer, has been directed to treat the area at regular intervals during the summer with calcium chloride. This will control the dust nuisance.
- 3 - Toilets visible from 1010 E. 36th Street. This condition will be corrected by planting at the proper season in the early fall.

Very truly yours,

*R. Brooke Maxwell.*

Director of Parks

RBM/w

Copy to:  
Mr. Anderson  
Mr. Hook ✓

Year	STADIUM REVENUE			
	DEPOSITED RECEIPTS	STADIUM EARNINGS	DEPOSITS OVER EARNINGS	DEPOSITS UNDER EARNINGS
1922	-----	\$13,602.12	----	\$13,602.12
1923	\$33,870.56	26,063.07	\$7,807.49	----
1924	49,645.49	48,733.07	912.42	----
1925	9,928.84	5,046.63	4,882.21	----
1926	6,128.98	6,138.98	-----	10.00
1927	1,466.72	6,085.90	-----	4,619.18
1928	10,210.74	5,581.56	4,629.18	----
1929	8,984.84	8,984.84	-----	----
1930	13,277.92	14,430.92	-----	1,153.00
1931	7,758.46	7,624.32	134.14	----
1932	2,164.35	1,829.87	334.48	----
1933	5,953.93	5,953.93	-----	----
1934	1,763.68	1,590.08	173.60	----
1935	7,566.68	7,566.68	-----	----
1936	11,322.11	11,343.26	-----	21.15
1937	6,745.11	6,745.11	-----	----
1938	8,214.75	8,218.73	-----	3.98
1939	19,120.15	19,314.38	-----	194.23
1940	11,471.90	11,461.57	10.33	----
1941	22,711.07	22,711.07	-----	----
1942	32,706.19	32,706.09	.10	----
1943	29,365.93	29,365.93	-----	----
1944	91,259.56	91,259.56	-----	----
1945	84,049.40	83,896.39	153.01	----
1946	141,829.52	141,829.52	-----	----
1947	123,190.51	123,190.51	-----	----
	\$740,707.39	\$741,274.09	\$19,036.96	\$19,603.66

Deposits are under earnings by \$566.70

This is explained by J. V. Kelly by the fact that certain items which he determined as Earned Stadium Revenue for a particular year may have been deposited and applied to some other account and not to the stadium account, part explanation may be due to clerical errors of bookkeeping in entering cash deposits in the wrong account, and also because of anticipated revenue being at times higher than the actual amount deposited due to lowering or cancellation of rentals or permitted deductions before actual deposits were made.

In view of the fact that the column entitled DEPOSITED RECEIPTS is the ACTUAL MONEY the CITY RECEIVED, the more accurate figure to use is \$740,707.39.

The STADIUM EARNING column is merely to show the money earned at the Stadium for events of each year; but the revenue for each event each year was not always DEPOSITED and accounted for in the YEAR THAT THE EVENT WAS HELD, but, as often happened, was deposited and accounted for in the following year. This can be especially noted in the early years of the Stadium from the tables above presented

Submitted by: J.V. Kelly, and  
Joseph J. King  
Jan. 17, 1948





MUNICIPAL STADIUM SITE SURVEY

CITY OF BALTIMORE

August 20, 1947

No. 5

MUNICIPAL STADIUM SITE SURVEY

CITY OF BALTIMORE

\*\*\*\*\*

Prepared for

The Stadium Commission

by the office of

Director of Public Works

, of

Baltimore City

\*\*

August 20, 1947

CITY OF BALTIMORE

Thomas D'Alesandro, Jr., Mayor

STADIUM STUDY COMMISSION

C. K. Bowie

William Callahan, Jr.

Joseph F. Di Domenico

Clarence Ditman

R. C. Embry

Robert Garrett

Thomas J. Healy

John J. Lang

Charles P. McCormick

Henry Stack

Raymond S. Tompkins

William F. Hilgenberg, Secretary

STADIUM SITE SUB-COMMITTEE

R. C. Embry

William Callahan, Jr.

William F. Hilgenberg

John J. Lang

DEPARTMENT OF PUBLIC WORKS

Nathan L. Smith, Director

DATA COMPILED AND STUDY MADE BY:

Herman F. Lucke, Associate Engineer

A. F. Di Domenico, Junior Associate Engineer

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August 20, 1947

Mr. Nathan L. Smith, Director  
 Department of Public Works  
 Municipal Building,  
 Baltimore, Md.

Dear Sir:

On July 28, 1947 you directed me to make a study of 22 sites suggested as desirable locations for the proposed Municipal Stadium in Baltimore City and to report my findings to you. The sites are as follows:

<u>Site No.</u>	<u>Site Location</u>
<u>1</u>	Present Location
2	Kirk Avenue Site
3	Druid Park Drive Site
4	Roosevelt Park and Hampden Reservoir Site
<u>5</u>	Clifton Park Lake
6	Curtis Wright Airport
7	Airy Hill - Graue Property
8	Pimlico Race Track
9	Lake Montebello
10	Magothy River - near Robinson Station
11	W. C. Weber Property
12	H. D. Caplan, Inc., Property
13	Druid Hill Park
14	Patterson Park Extension
15	Bugle Field
16	Lower Herring Run Park
17	Bloomington Oval
18	Alexander Brown Property
19	Jones Falls Valley - North of 41st Street
20	Putnam Street Site
21	St. Mary's Industrial School
<u>22</u>	Hall Spring Section - Herring Run Park

I have now completed this study and submit herewith 25 bound copies of my report for your files and for the use of the members of the Stadium Commission.

Your instructions were that the report should be factual only and should contain such information as a physical description of the site made from actual field inspections, area of site, value of land and improvements thereon, accessibility, existing mass transportation facilities, available parking capacity on site, estimated cost of providing necessary utilities, including water supply, storm water and sanitary sewers, grading, zoning of site and adjacent property, distance of site from center of population which is at present located approximately at the intersection of North Avenue and Charles Street, distance from center of site to nearest dwelling and other pertinent information. You further stated that the report should not contain any recommendations as to the relative desirability of the various sites for stadium purposes.

On July 30, 1947, subsequent to receiving your instructions, a meeting was held in your office for the purpose of a preliminary discussion of the various sites. As a result of this meeting, consideration was narrowed down to the following six sites:

<u>Site No.</u>	<u>Site Location</u>
<u>1</u>	Present Stadium - 33rd Street
<u>5</u>	Lake Clifton - Clifton Park
9	Lake Montebello Adjacent to Filtration Plant
15	Bugle Field - Edison Highway
<u>17</u>	Bloomington Oval - Franklinton Road
<u>22</u>	Hall Spring Section - Herring Run Park

Your instructions were then modified to the extent that the report was to include a thorough study of these six sites and only a brief description of the other 16 sites and general remarks concerning them. As a matter of record,

those present at the above mentioned meeting were the following:

Messrs. Nathan L. Smith  
R. C. Embry  
William Callahan, Jr.  
William F. Hilgenberg  
John J. Lang  
Brooke Maxwell  
Gus Hook  
A. F. Di Domenico,  
Heriman F. Lucke

Included in the report is a plat of each of the sites drawn to a scale of 500 feet to the inch. These plats show the site location, the adjacent streets and highways, existing mass transportation facilities and other general information. For easy reference these plats will be found opposite the report on each of the sites.

It is my understanding that the new Stadium will be designed with a playing field for both football and baseball. An outstanding example of such a stadium is the Cleveland Municipal Stadium, which has a seating capacity of 78,000 and occupies an area of approximately 11 acres. For the convenience of the Stadium Commission, the outline of the Cleveland Stadium is plotted on each of the site plats to show its size, relative to the whole site.

The number of people using the different means of transportation will vary with the location of the stadium, thus affecting the required parking facilities. For locations with transit facilities and other factors similar to those at the present Municipal Stadium on 33rd Street, it is estimated that 45 percent of the people will come to the stadium by passenger car, approximately 40 percent by public transit vehicles and about 15 percent will walk or come by taxi.

On this basis and figuring an average of three persons per private automobile the following parking facilities will be required for the attendance indicated:

<u>Attendance</u>	<u>Parking Capacity Required</u>	<u>On-site Parking Area Required</u>
20,000	3,000 cars	14 acres
30,000	4,500 "	21 "
40,000	6,000 "	28 "
50,000	7,500	35 "
60,000	9,000	42 "

One acre will accommodate about 217 cars, including allowance for necessary drives for controlled parking.

In order to further assist the Commission in its deliberations I have made a diligent search and analysis of available data showing the cost per seat of stadiums built of concrete and steel and it appears that \$65.00 per seat would be the approximate present-day cost, exclusive of cost of land, grading, any necessary road construction and utilities. The Cleveland Municipal Stadium is designed with a roof over the grand-stand but not over the bleachers. It is built of concrete and steel and its cost, when constructed in 1930, was \$33.50 per seat. By applying "Engineering News-Record" construction cost indexes the cost today would be approximately \$64.30 per seat.

I am forwarding with the 25 copies of the report, one print each of the following maps:

- 1 - A population density map showing the relative location of population in Baltimore and the metropolitan area
- 2 - A traffic density map which shows the relative density of traffic over principal highways in Baltimore City.



- 3 - A rapid transit map showing the rapid transit system (Noted are the future fixed-wheel and free-wheel transit lines).
- 4 - An expressway and major highway map showing the future arterial traffic routes.
- 5 - Map showing percentage of total vote cast for the Stadium Loan.
- 6 - Map showing the location of Stadium users attending a typical event as well as mode of travel.

I hope this letter and the information to be found on the pages following will be helpful to the Stadium Commission in making a final determination of the most desirable site for the proposed Municipal Stadium.

To all those who cooperated with me by furnishing information and especially to Mr. A. F. Di Domenico, who was most helpful in making this study and in preparing and completing the report, I extend my thanks and appreciation.

Respectfully submitted

Herman F. Lucke

Herman F. Lucke  
Associate Engineer

SITE NO. 1PRESENT LOCATION

The site of the present Stadium, consisting of 29 acres on City property, is located on the north side of 33rd Street between Ellerslie Ave. and Ednor Rd.. It has been used as a municipal stadium since 1922. The present seats are constructed of wood on earth embankments and on wood frame work. The site lies  $1\frac{1}{2}$  miles from center of population.

In order to prepare this site for a modern structure it will be necessary first to remove the existing wooden stands and frame-work. From a casual study, made in the limited time allotted for this survey, it appears that in order to accommodate a playing field properly designed for both baseball and football, it would be necessary to remove approximately 50 percent of the existing earth embankments to accommodate the new structure, at an estimated cost of \$50,000.

The method of procedure in constructing the new structure and playing field, if this site is selected by the Stadium Commission will, of course, be a matter for the designing engineers to study and work out in order to afford a minimum of interference with the use of the present stadium.



22.01/14523 7-21-47

The net on-site area available for parking will be about 15 acres providing space for 3,200 cars. However, the Eastern High School site on the south side of 33rd Street, opposite the present stadium, will accommodate the additional parking of 1,600 cars and the Ellerslie Avenue lot, west of the stadium an additional 300, making a total capacity of 5,100 spaces for off-street parking on City property. This will accommodate an attendance of 34,000 without on-street parking.

23 Acres

7.5 Ac.

1.5 Ac.

Mass transportation is provided by the No. 8 trolley line on Greenmount Avenue and by the following bus lines:

Nos. 3 and 22 on 33rd Street and The Alameda

No. 36 on Kirk Avenue and The Alameda

No. 57 on Gorsuch Avenue.

The main line of the Baltimore and Ohio R. R. is approximately one mile from the site.

The following main arterial streets provide accessibility to and from the site, Greenmount Avenue, 33rd Street, The Alameda, Loch Raven Road, and Ellerslie Avenue; providing ample streets for the rapid dispersing of traffic to and from the structure.

All public utilities on the site are ample and of adequate size.

The site and surrounding territory is zoned residential; the nearest dwelling is 600 feet to the center of the site.



SummaryAdvantages

- A - No land acquisition required.
- B - Mass transportation facilities adequate.
- C - Accessibility to site provided by main thoroughfares from all sections of the City.
- D - Within  $1\frac{1}{2}$  miles of center of population.
- E - The site affords means of rapid dispersment of traffic.
- F - Existing public utilities are adequate.
- G - Administration Building existing on site.

Disadvantages

- A - Nearest dwelling 600 feet from center of site.
- B - Removing present embankments at cost of \$50,000
- C - Insufficient area on site, providing space for the parking of only 3,200 cars.  
(See paragraph on parking).

*\$10,000 per Acre*

6.

SITE No. 2

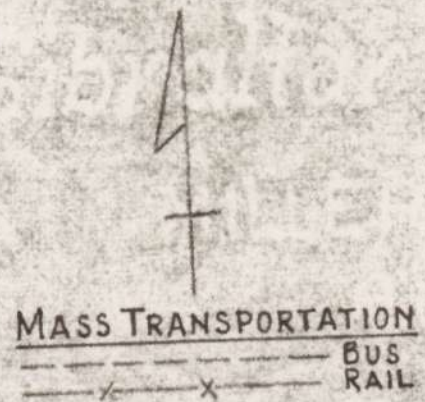
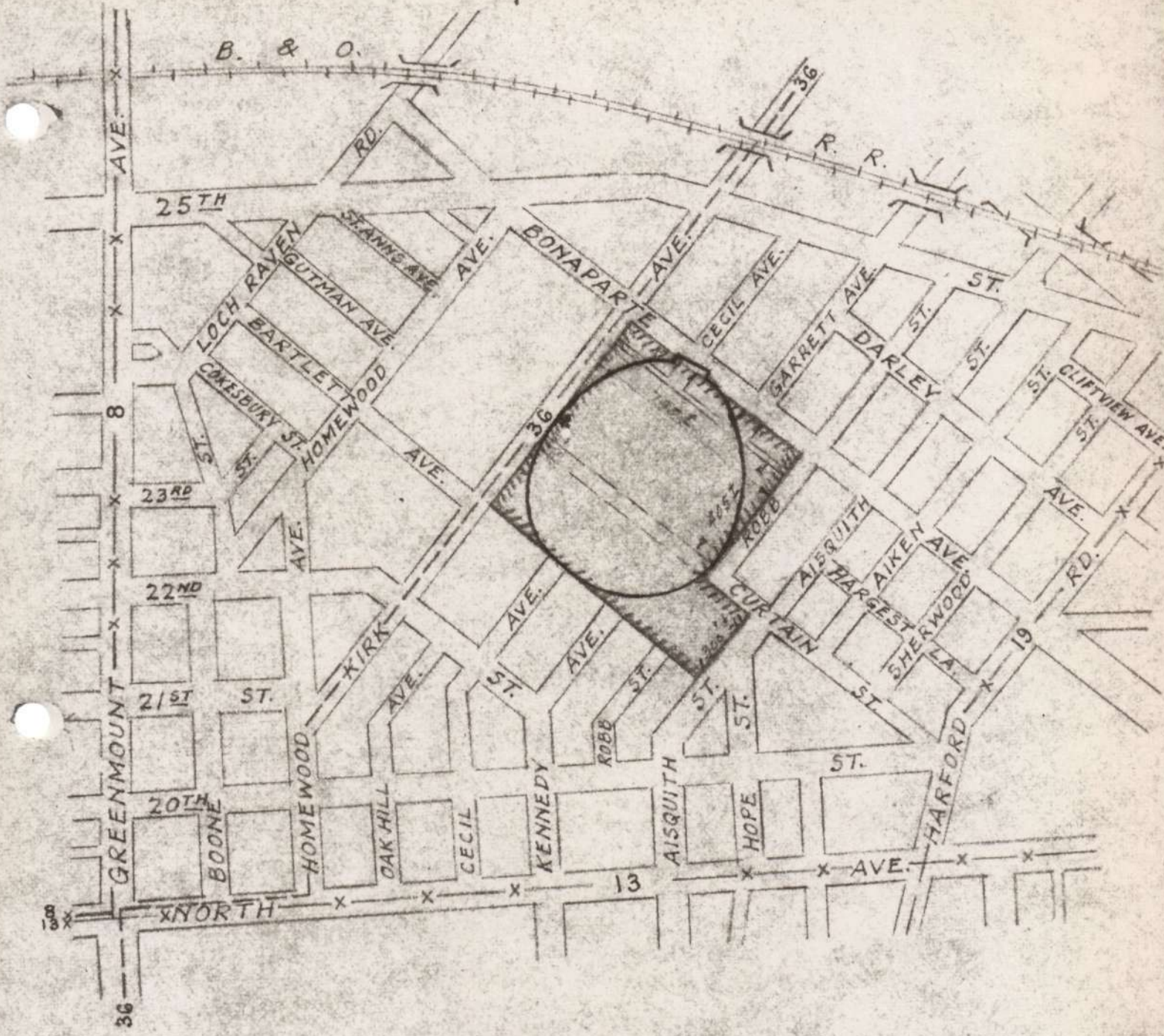
KIRK AVENUE SITE

An irregularly outlined site consisting of 14.86 acres, fairly level, located on the east side of Kirk Avenue south of Bonaparte Avenue and west of Robb and Aisquith Streets. The site lies within one mile of center of gravity of population.

Topographically inadequate in size, lack of available space for parking, lack of opportunity for rapidly dispersing traffic, and excessive property cost.

Site, property west, south, and east of site is zoned 2nd commercial, property north of site zoned residential; nearest dwelling 400 feet to center of site.





SITE NO. 2  
KIRK AVE. SITE  
Scale: 1" = 500' 8-5-17

8.

SITE NO. 3

DRUID PARK DRIVE SITE

An irregularly outlined site consisting of 25.29 acres, located between Druid Park Drive, Liberty Heights Avenue and Reisterstown Road. The site lies within  $2\frac{1}{2}$  miles of center of gravity of population.

Due to the irregularity of the site the area remaining after construction of stadium would not be sufficient to provide adequate parking spaces.

The site is on a high rocky embankment on the Liberty Heights Avenue side and is topographically unsuitable for this type of development.

Site and surrounding property all zoned residential; nearest dwelling 500 feet to center of site.



**BUS  
RAIL**

DRUID PARK DRIVE SITE

Scale: 1"=500'

8-5-47

10.

SITE NO. 4

ROOSEVELT PARK AND HAMPDEN RESERVOIR

Site, consisting of 23 acres located south of 36th Street between Falls Road and Poole Street.

Topographically inadequate in size, lack of available spaces for parking, lack of opportunity for rapidly dispersing traffic. This site is one of the most widely used recreational centers in the city and the Department of Recreation and Parks advises that it will not consider the abandonment of the site for any other purposes.

Site and property north and east zoned residential, property west 1st commercial; nearest dwelling 400 feet to center of site.



MASS TRANSPORTATION

— x — x — RAIL  
— o — o — TRACKLESS TROLLEY

SITE No 4

ROOSEVELT PARK

Scale 1" = 500'

8-6-48

## SITE No. 5.

CLIFTON PARK LAKE

A proposed location for the new stadium is on the site of an abandoned reservoir of the Bureau of Water Supply, located in Clifton Park between Harford and Belair Roads and north of the main line of the Baltimore and Ohio Railroad. The site lies less than two miles from center of population.

In order to prepare this site for the structure and for parking, it will be necessary first to drain the lake and remove the earth embankment from the south and east of the lake and deposit this material in the lake to a depth of nine feet. This grading operation, which will cost approximately \$150,000, will provide a level area at elevation 143 of 44 acres. A net area of about 30 acres for parking will be available providing space for 6,500 cars on the site.

Mass transportation is provided by the No. 19 line on the Harford Road, No. 15 on the Belair Road, both lines within 1000 feet of the site and by the No. 13 line on North Avenue. The "F" and "Q" bus lines operate on Patterson Park Avenue and North Avenue, while the No. 57 bus is on Gorsuch Avenue and Harford Road.

The main line of the Baltimore and Ohio Railroad is adjacent to the site.



MASS TRANSPORTATION

--- BUS  
---x--- RAIL

13

GOLF COURSE

ST. VINCENT'S  
CEMETERY

HEBREW  
CEMETERY

BALTO.  
CEMETERY

THE ALAMEDA

Proposed  
Connection

LAKE  
CLIFTON

Present Water line

EL. 143

SWIMMING  
POOL

HARFORD

25TH

NORMAL AVE.

HOLY CROSS  
CEMETERY

SINCLAIR

WASHINGTON

20TH

NORTH

PATTERSON

AVE. 7  
F&O  
PARK AVE.

BELAIR

SITE NO 5

CLIFTON PARK LAKE

Scale: 1"=500' 7-30-47

The following main arterial streets provide accessibility to the site: The Alameda, Harford and Belair Roads, Washington Street, and North and Patterson Park Avenues, providing ample roads for the rapid dispersing of traffic to and from the structure. However, in order to provide a better means of accessibility to and from the Belair Road a connection would be required along the northern boundary of the Hebrew Cemetery from the Belair Road to the site, at an estimated cost of \$35,000.

With the exception of <sup>providing</sup> proving a sanitary sewer connection, estimated to cost \$18,000, all public utilities are available and of ample size.

The site and park property north and west is zoned residential, east and south 2nd commercial; nearest dwelling is 1400 feet from center of site.

#### Summary

##### Advantages

- A - No land acquisition required.
- B - Sufficient area to provide parking for 6,500 cars on site.
- C - Mass transportation facilities adequate.
- D - Main line of Baltimore & Ohio R.R. adjacent to site.
- E - Within 1.7 miles of center of population.
- F - Accessibility to site provided by main thoroughfares from all sections of the City.
- G - Nearest dwelling 1500 feet from center of structure.
- H - The present stadium can be used while one on this site is under construction.

Disadvantages

- A - Necessary grading operation costing .....\$150,000  
B - Sanitary sewer connection required costing ... 18,000  
C - Road construction from Belair Road costing ... 35,000

203,000  
300,000  
\$ 503,000

30 Ac at 10,000 per Acre

14.

SITE NO. 6

CURTIS WRIGHT AIRPORT

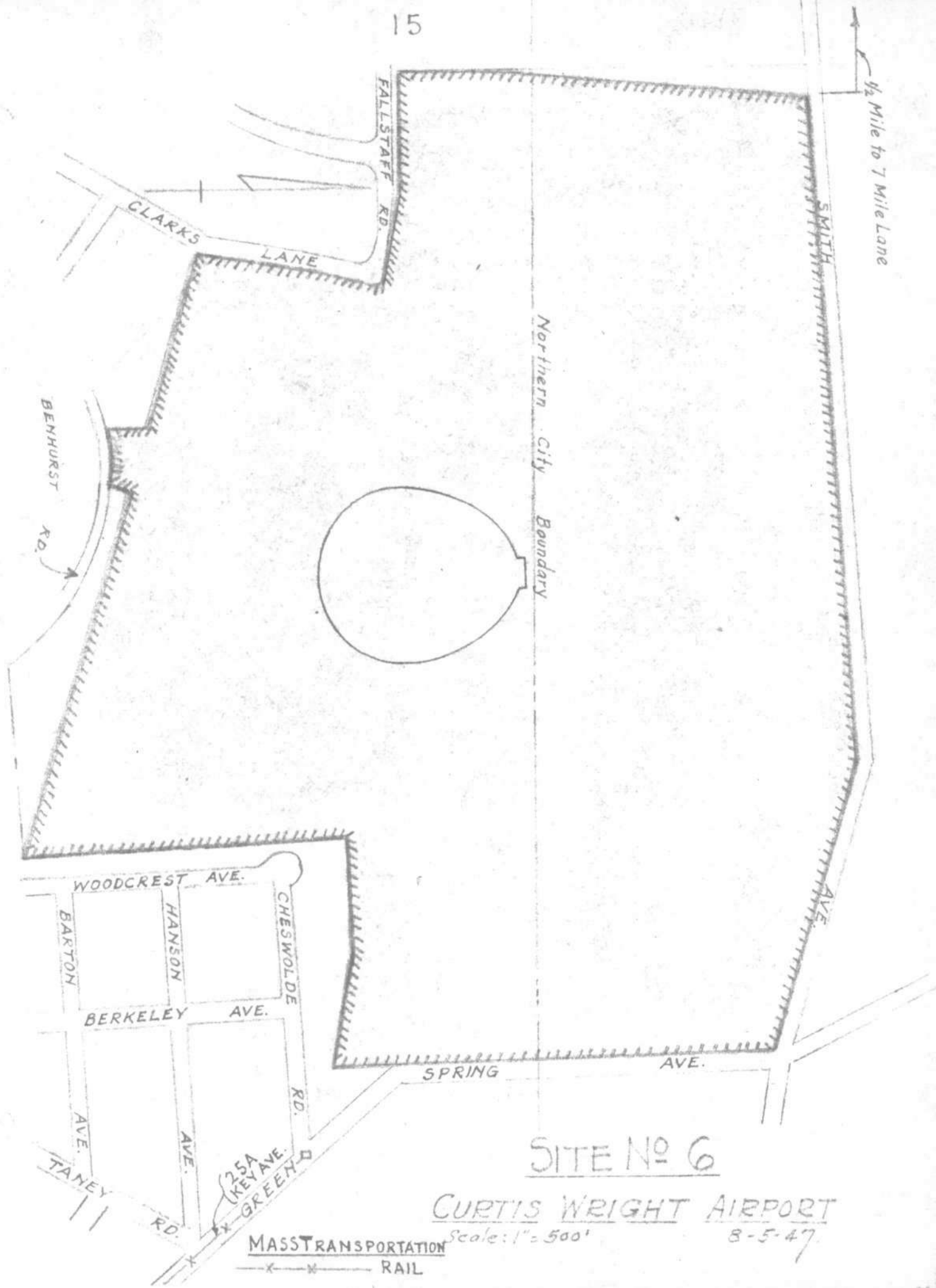
A large site consisting of 263 acres, approximately 50 percent of which is in Baltimore County, located south of Smith Avenue and west of Greenspring Avenue.

Excessive property cost, six miles from the center of gravity of population and no existing mass transportation facilities.

The Commission on City Plan advises that this site is on the Master Plan for airfields, and is ideal for that purpose.

Site and surrounding property all zoned residential; nearest dwelling 1,700 feet to center of site.





SITE No 6

CURTIS WRIGHT AIRPORT

Scale: 1" = 500'

8-5-47

MASSTRANSPORTATION

RAIL

SITE NO. 7.

AIRY HILL - GRAUE PROPERTY

Site, consisting of 79 acres, located between Frederick and Wilkens Avenue, bounded by Beechfield Avenue, Thornfield Road, Maiden Choice Run and Loudon Park Cemetery.

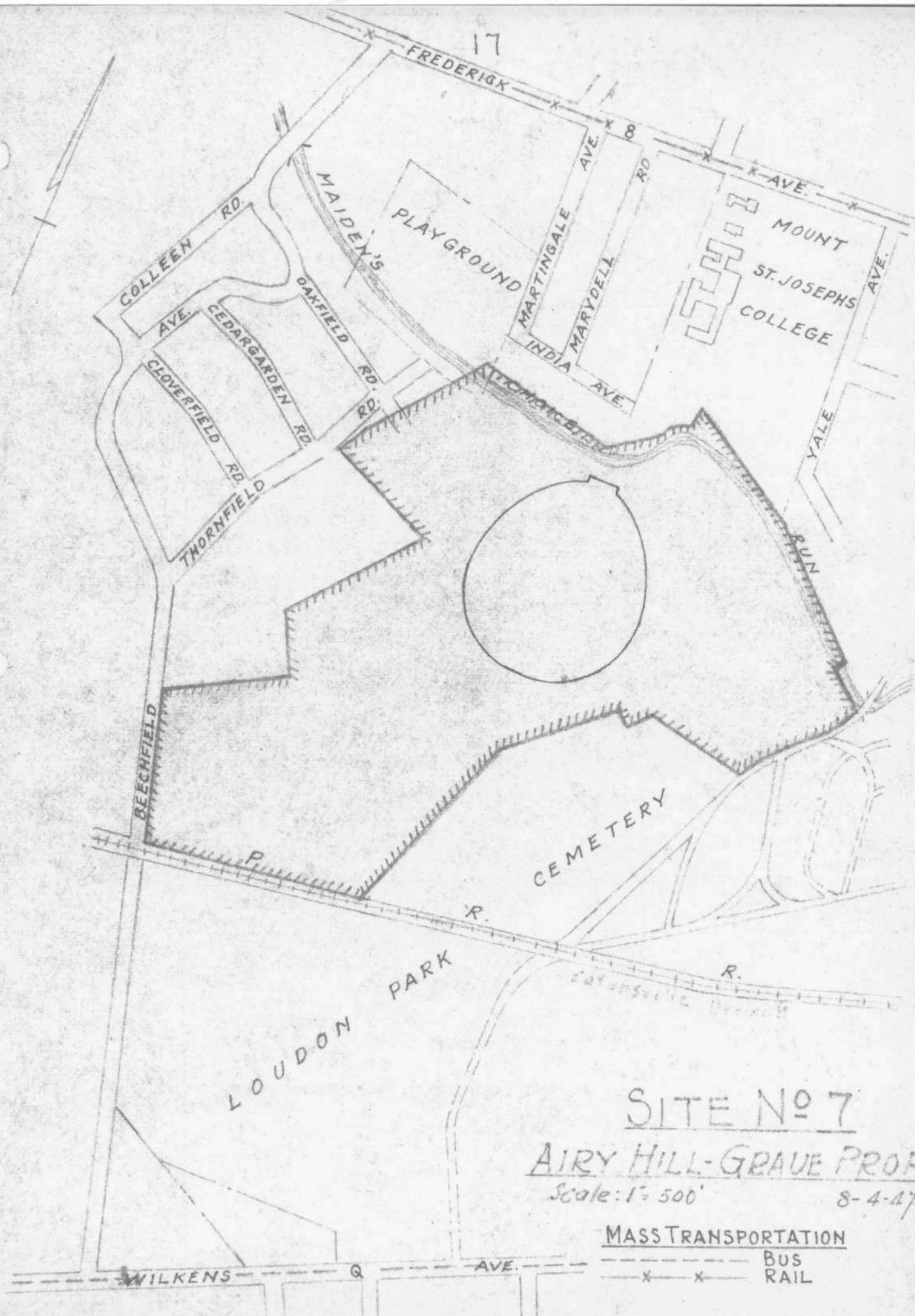
Terrain is hilly, rough and heavily timbered.

Excessive amount of grading required. Over one mile of road construction necessary to provide adequate ingress and egress to the site. While mass transportation is available on both Frederick and Wilkens Avenue, the walking distance to the site is over  $\frac{1}{2}$  mile. The site lies  $4\frac{1}{2}$  miles air line distance from the center of gravity of population. Property acquisition necessary, costing approximately \$140,000.

The site offers no opportunity for rapidly dispersing traffic.

Site and property west, north and east zoned residential, south of site 2nd commercial; nearest dwelling 1,200 feet to center of site.

17



SITE No 7

AIRY HILL-GRAVE PROP

Scale: 1" = 500'

8-4-47.

MASS TRANSPORTATION

BUS  
RAIL

SITE NO. 8

PIMLICO RACE TRACK

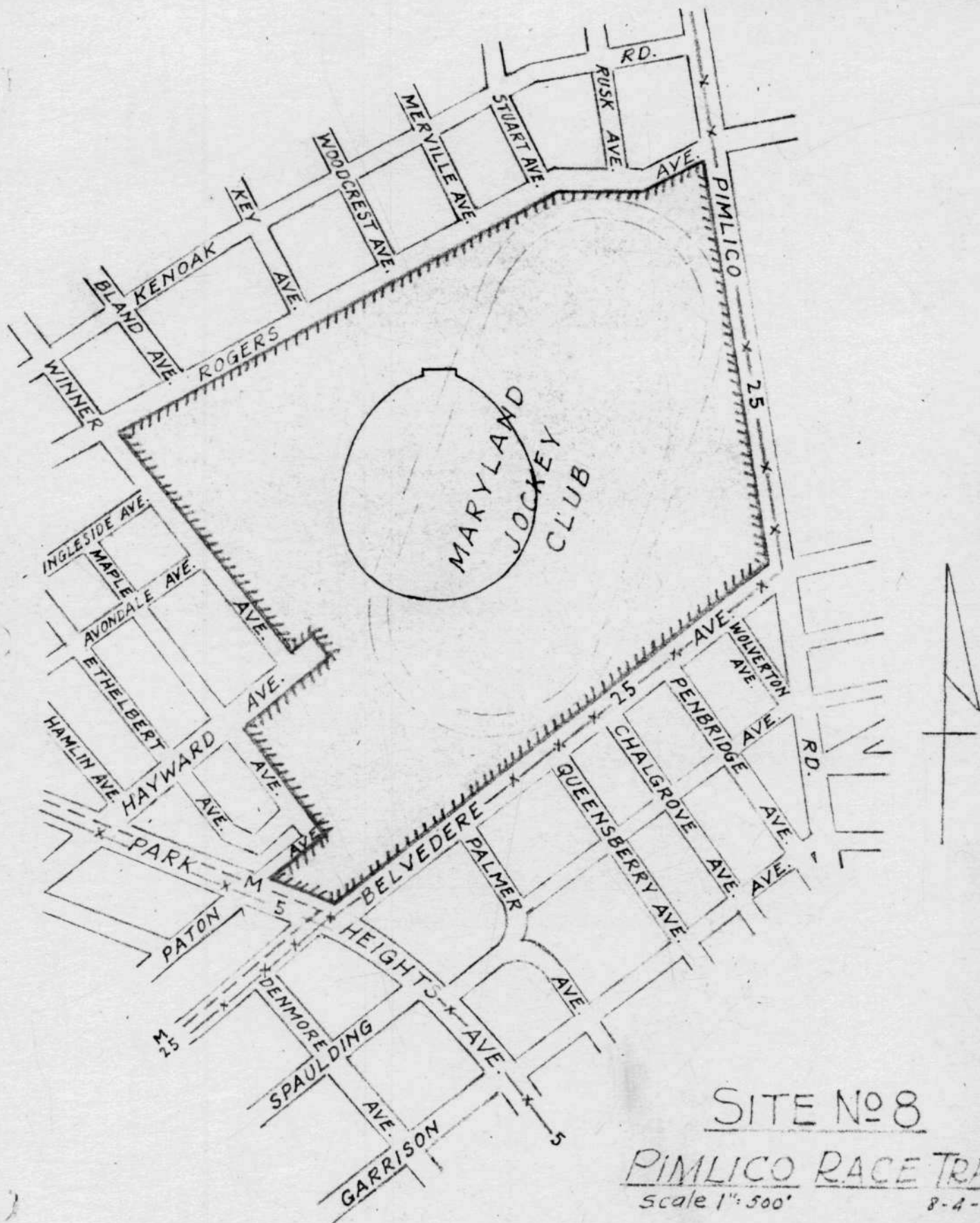
Site, located between Belvedere Avenue, Pimlico Road, Rogers, Winner, and Park Heights Avenues. This location has been used as a race track for many years.

Property acquisition necessary costing over \$3,000,000.

Site not available until Maryland Jockey Club abandons this site and moves to a new location.

Center portion of site zoned 1st commercial, balance of site and property north, east and west residential, south of site 1st commercial; nearest dwelling 900 feet to center of site.





SITE No 8

PIMLICO RACE TRACK

Scale 1" = 500'

8-4-47

MASS TRANSPORTATION

— — — — — BUS  
 — — — — — RAIL

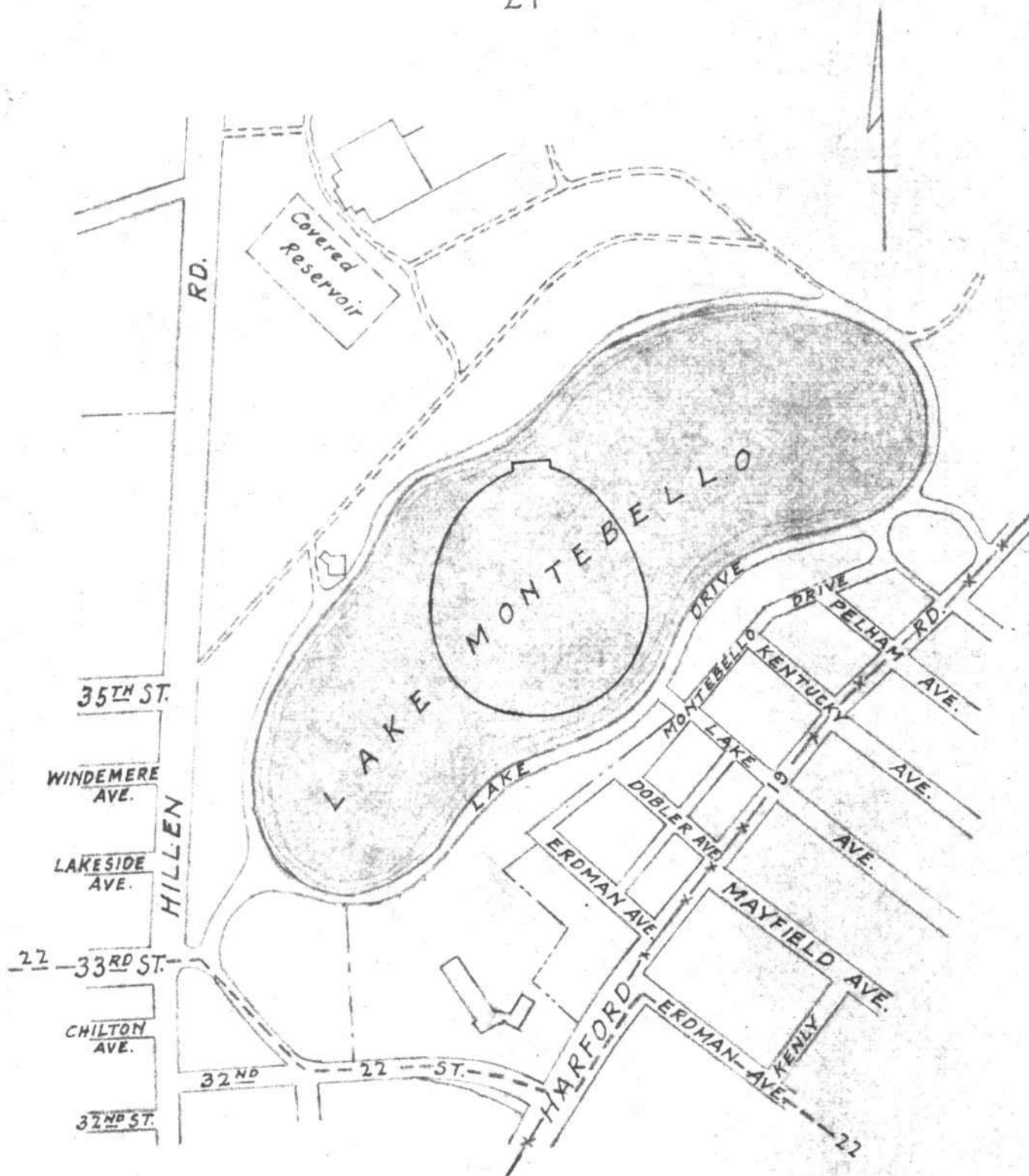
SITE NO. 9

LAKE MONTEBELLO

Site, consisting of approximately 80 acres, located on city owned property adjacent to Montebello Filtration Plant and between Harford and Hillen Roads, north of 32nd Street. The Reservoir constructed about 1875 is about 30 feet deep and no longer used by the Bureau of Water Supply.

About three million cubic yards of borrowed fill would be necessary to fill the basin for structure and parking facilities.

Site and surrounding property all zoned residential, nearest dwelling 600 feet to center of site.



SITE No 9

MASS TRANSPORTATION

--- BUS  
--- X --- RAIL

LAKE MONTEBELLO

Scale: 1" = 500'

8-5-47

SITE NO. 10

MAGOTHY RIVER - NEAR ROBINSON STATION

As this site is 18 miles from Baltimore, the Sub-committee of the Stadium Commission advised on July 30, 1947 not to inspect this location.



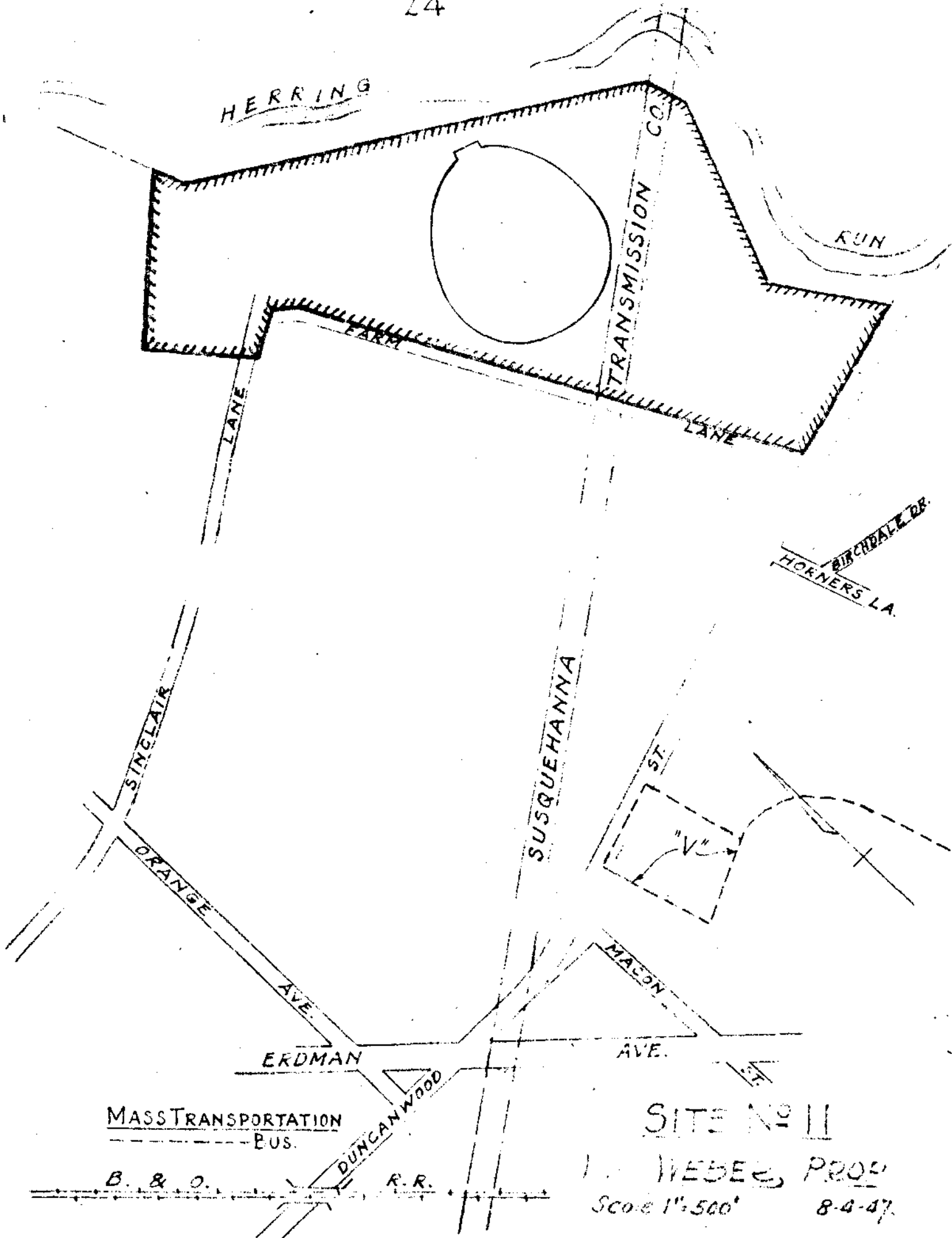
SITE NO. 11W. C. WEBER PROPERTY

Site, consisting of 50 acres, is adjacent to Herring-Run at the eastern terminus of Sinclair Lane. The Susquehanna Transmission Line runs through the property near the southern end. The site lies within  $3\frac{1}{2}$  miles of center of gravity of population.

Approximately  $1\frac{3}{4}$  miles of new road construction is required for accessibility.

There are no existing utilities near the site. Sanitary sewer outlet for this location is at North Point Road and Pennsylvania R. R., which would require a pumping station, all of which together with providing water facilities would cost over \$1,000,000.

Site and surrounding property all zoned residential, no dwellings in the immediate vicinity.



SITE NO. 12

H. D. CAPLAN, INC., PROPERTY

Site containing 65 acres, abuts the Arlington Hebrew Cemetery north of Rogers Avenue and is bounded on the east by the Western Maryland Railroad.

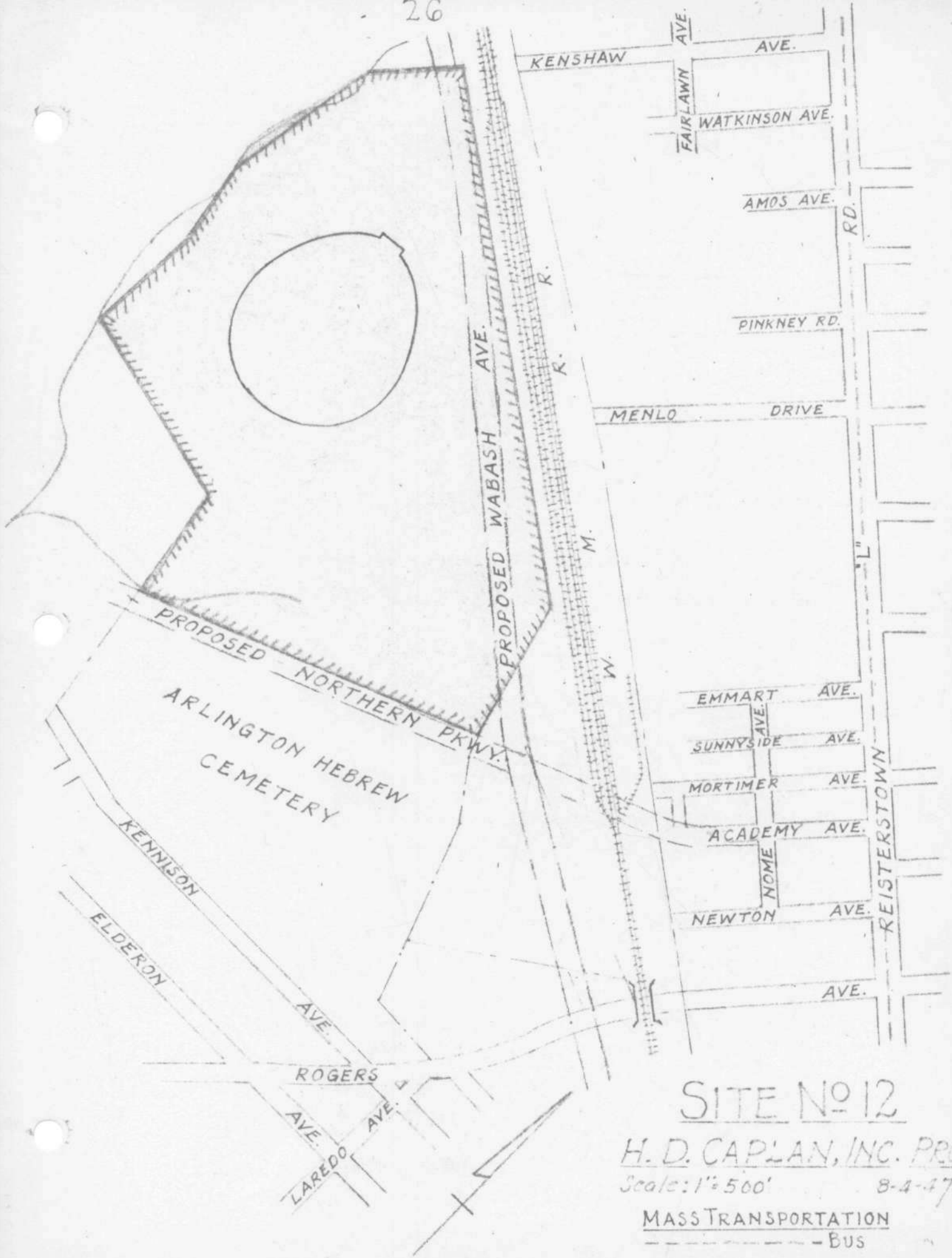
The terrain is rough, heavily timbered making the site topographically unsuitable for this type of development.

At present the only means of ingress and egress from the site is through the cemetery. However, the proposed Northern Parkway and Wabash Avenue extensions will border the southern and eastern boundaries of the site, respectively.

Owner advises that he considers \$2,500 per acre as a fair price for the land.

Site is 5 miles from population center and is served only by a bus line on Reisterstown Road.

Site and property north, east, and south zoned 2nd commercial, west of site residential; nearest dwelling 1600 feet to center of site.



SITE No 12

H. D. CAPLAN, INC. PROP.

Scale: 1" = 500' 8-4-47.

MASS TRANSPORTATION  
- BUS



27.

SITE NO. 13.

DRUID HILL PARK

Mr. Brooke Maxwell, Superintendent of Parks,  
advises that the Department of Recreation and Parks is  
opposed to and will not sanction a stadium site in this  
park.

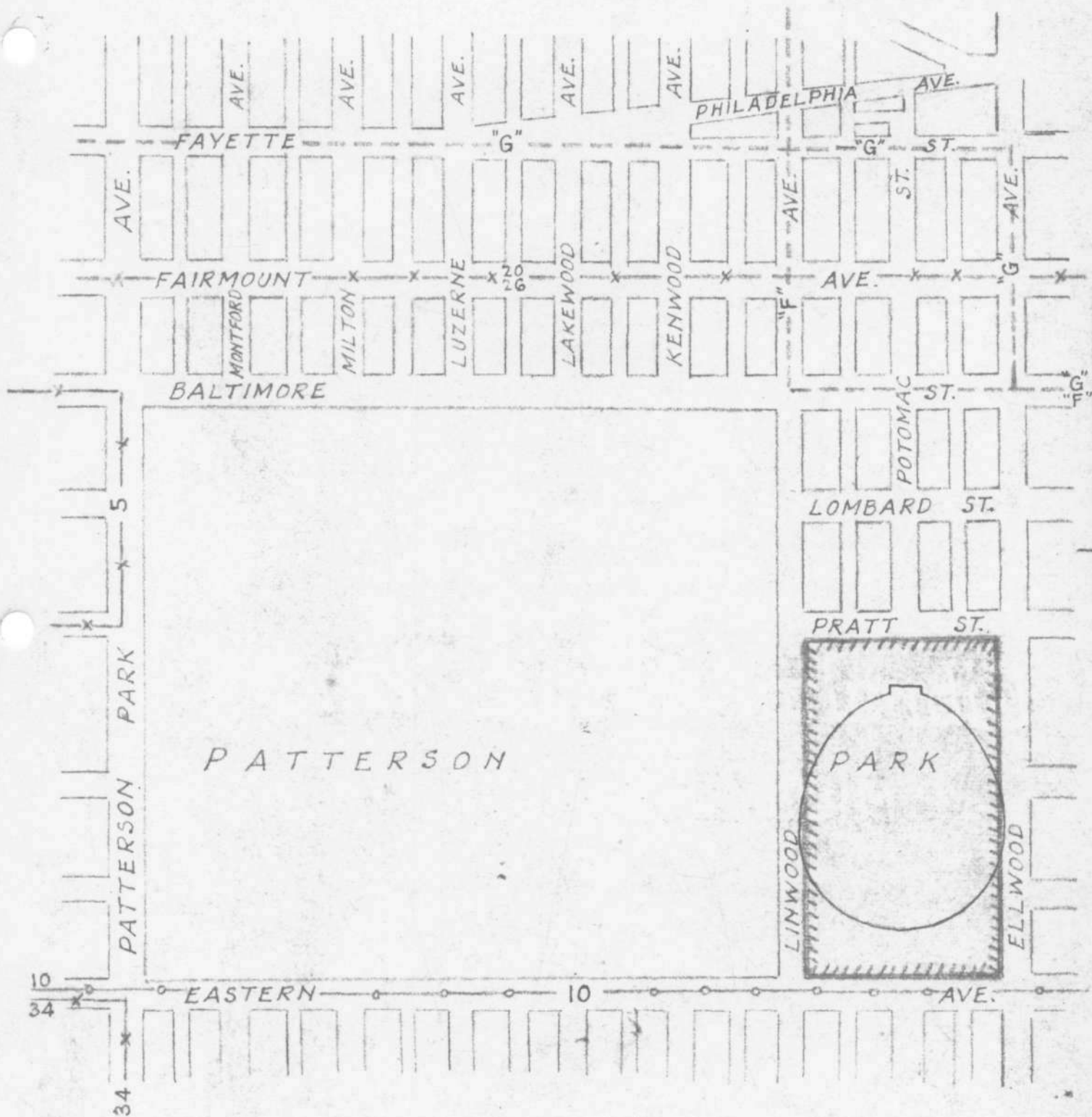
SITE NO. 14

PATTERSON PARK EXTENSION

Mr. Brooke Maxwell, Superintendent of Parks, advises that the Department of Recreation and Parks is opposed to and will not sanction a stadium site in this park because the area proposed is extensively used for recreational purposes.

Further, the site proposed, containing 21 acres, is inadequate in size.

Site and property north, east, south, and west zoned residential. Small piece of property to the south-east 1st commercial; nearest dwelling 400 feet to center of site.



SITE NO 14

PATTERSON PARK EXTENSION

Scale: 1" = 500'

8-5-47.

MASS TRANSPORTATION

--- BUS  
 -x-x-x- RAIL  
 -o-o-o- TRACKLESS TROLLEY

SITE NO. 15BUGLE FIELD

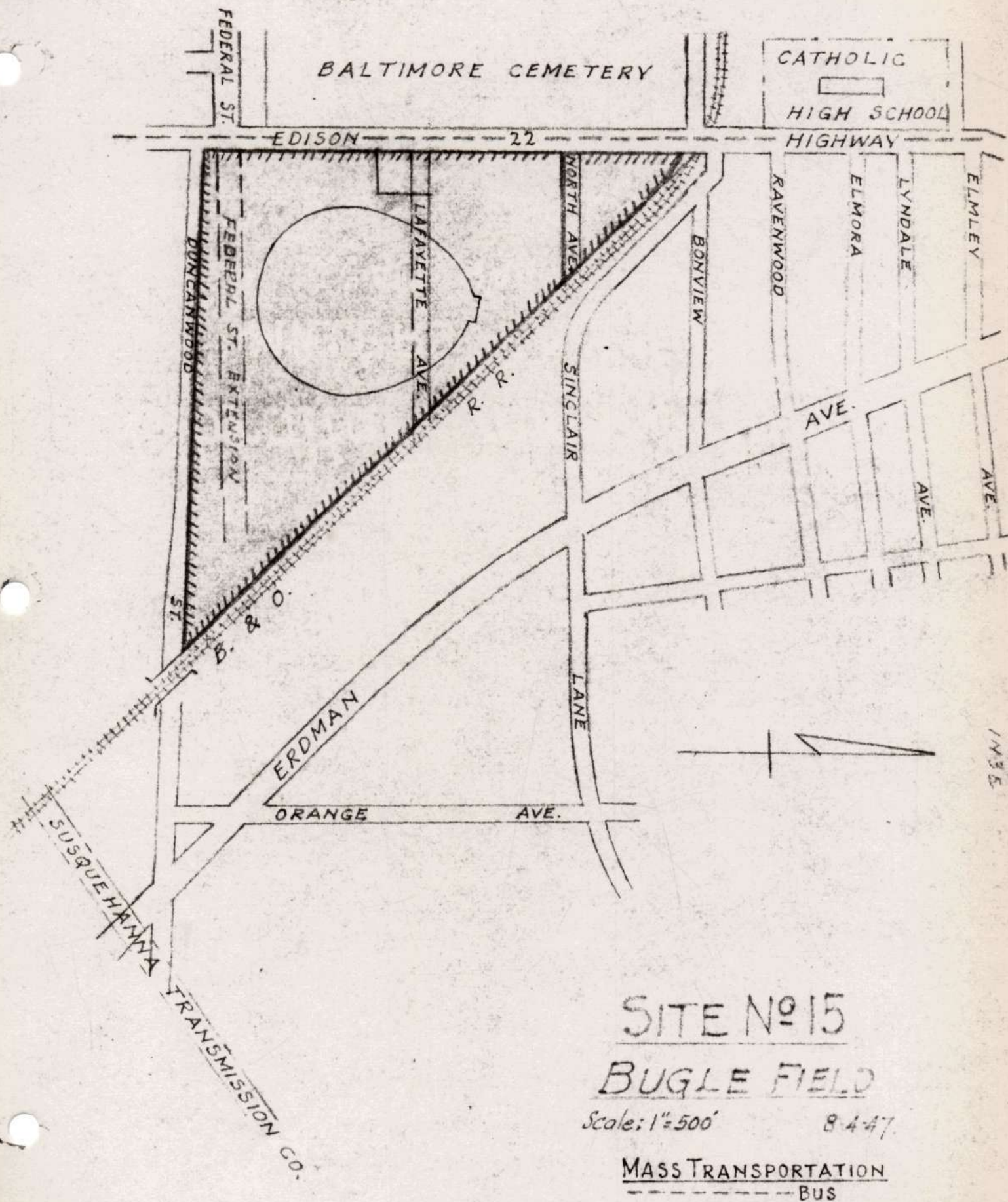
Site is bounded by Edison Highway, Baltimore and Ohio R.R., and Duncanwood Street. Location is  $2\frac{1}{2}$  miles from center of population. The site is fairly level, the southern portion contains a professional baseball field and wooden stands.

The value of the land and improvements on this site is estimated to be \$367,000.

The only means of mass transportation is by a bus line on Edison Highway.

While the site contains over 46 acres,  $34\frac{1}{2}$  acres have recently been purchased by the Lord Baltimore Press and Mr. Hugo Dalsheimer, Vice President, advises that his company would not consider selling the property to the City as building operations will be started in the near future. This would leave only  $11\frac{1}{2}$  acres for stadium purposes which is entirely inadequate.

Site and property northeast and south zoned industrial, property north and west residential; nearest dwelling 1500 feet to center of site.





SITE NO. 16LOWER HERRING RUN PARK

Site, containing approximately 56 acres, is located between Herring Run and Bowley's Lane, north of Philadelphia Road (Pulaski Highway). About 75 percent of the area is a sanitary land fill, of which approximately 10 acres located near the center of the site, will not be completed until May 1949.

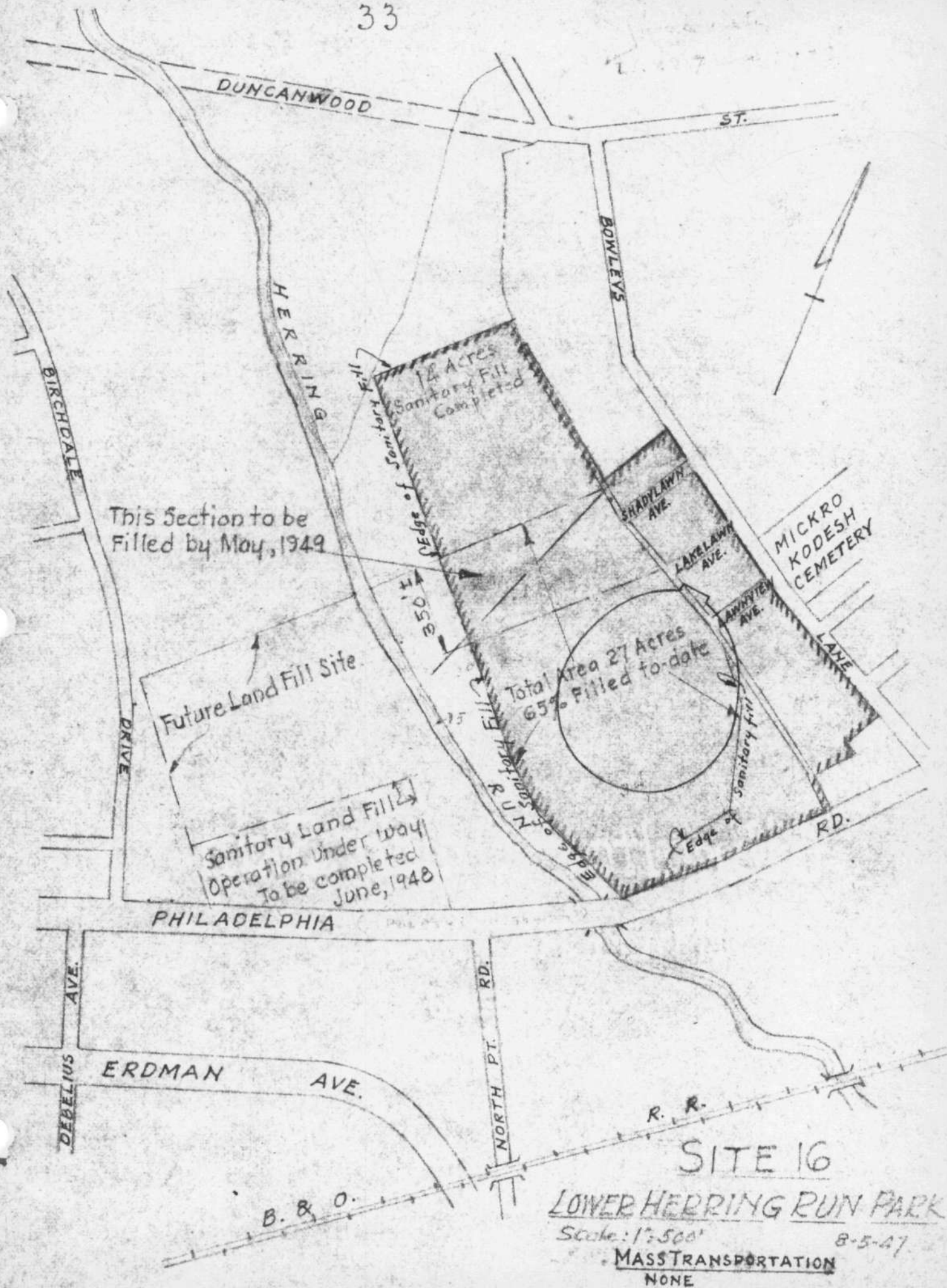
The Mayor and City Council of Baltimore owns all the property with the exception of approximately  $3\frac{1}{2}$  acres valued at \$58,000.

It will be necessary to widen and improve Bowley's Lane for accessibility and there are no existing public transportation facilities.

The sanitary sewer outlet for this site is located at North Point Road and would require a pumping station, all of which would cost approximately \$1,000,000 to provide sanitary facilities.

The site is approximately  $4\frac{1}{2}$  miles air line distance from population center.

Site and property north, east, and west zoned residential, south of property 1st commercial and industrial; nearest dwelling 1500 feet to center of site.



SITE NO. 17.BLOOMINGDALE OVAL

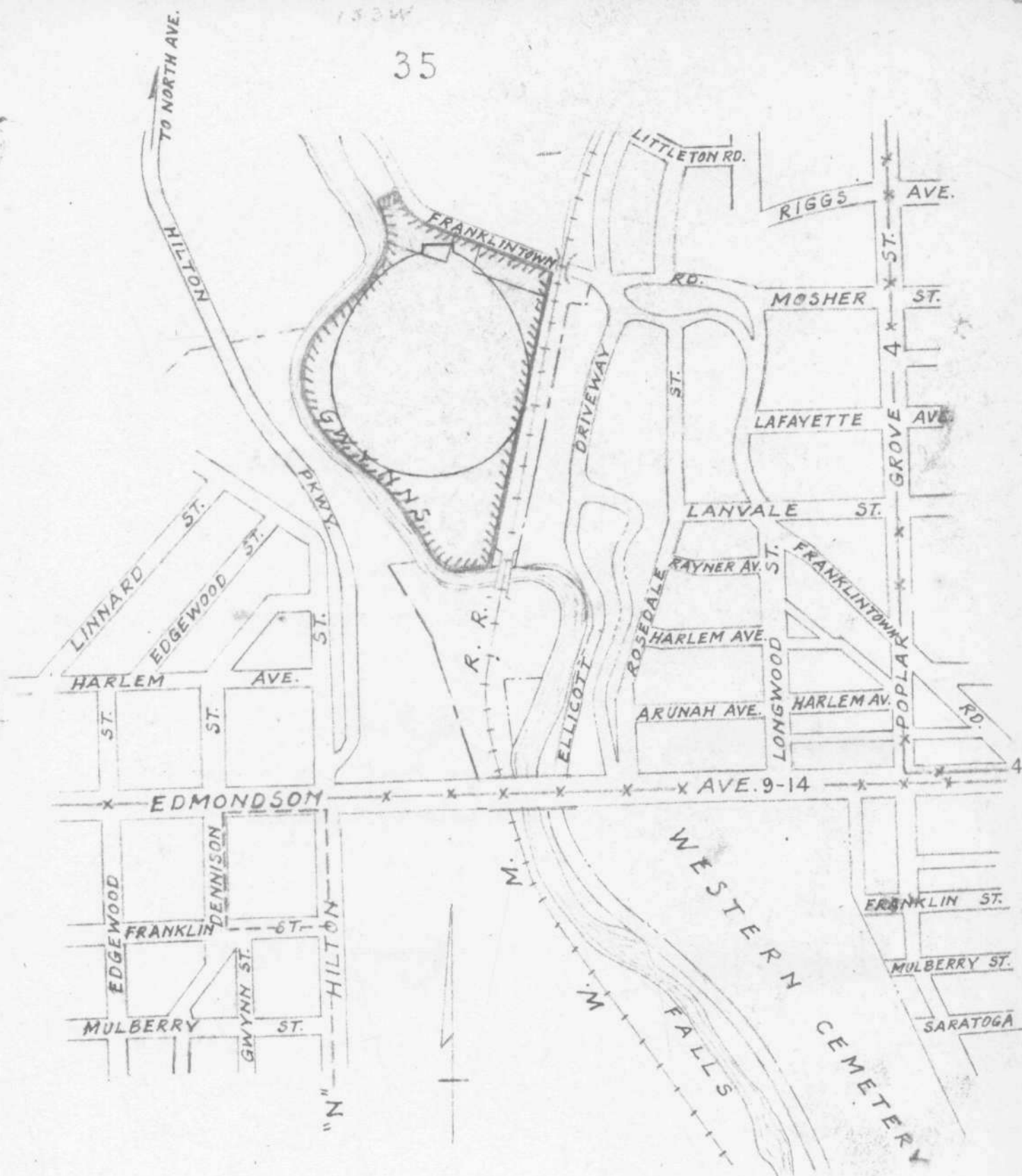
Site consisting of 17 acres is located south of Franklinton Road between Western Maryland R.R. and Gwynns Falls. It is now used by the Department of Recreation and Parks for athletic purposes. The location is about  $3\frac{1}{4}$  miles from population center.

The Mayor and City council of Baltimore owns 15 acres of the site and it will be necessary to acquire about two acres valued at \$61,000 in order to have a frontage on Franklinton Road.

Accessibility only from Franklinton Road, a narrow street, the necessary widening and improvement of which would be very costly. As Gwynns Falls bounds the site on the west and south and the Western Maryland R.R. on the east there would be no available space remaining after construction of the stadium for parking facilities.

Public transportation facilities are located on Edmondson Avenue, Hilton, and Poplar Grove Streets. Existing utilities are adequate.

Site and property west and south zoned residential, north of property 2nd commercial, east of property 2nd commercial and residential; nearest dwelling 800 feet to center of site.



SITE 17

BLOOMINGDALE OVAL

Scale: 1" = 500'

B-4-47

MASS TRANSPORTATION

--- Bus  
---x--- Rail

SITE NO. 18

ALEXANDER BROWN PROPERTY

This site, under one ownership, is a large estate containing approximately 46 acres, and is bounded by Liberty Heights and Pennsylvania Avenues and Tioga and Gwynns Falls Parkways. The land is rolling with scattered heavy trees. A number of dwellings and accessory buildings are on the property.

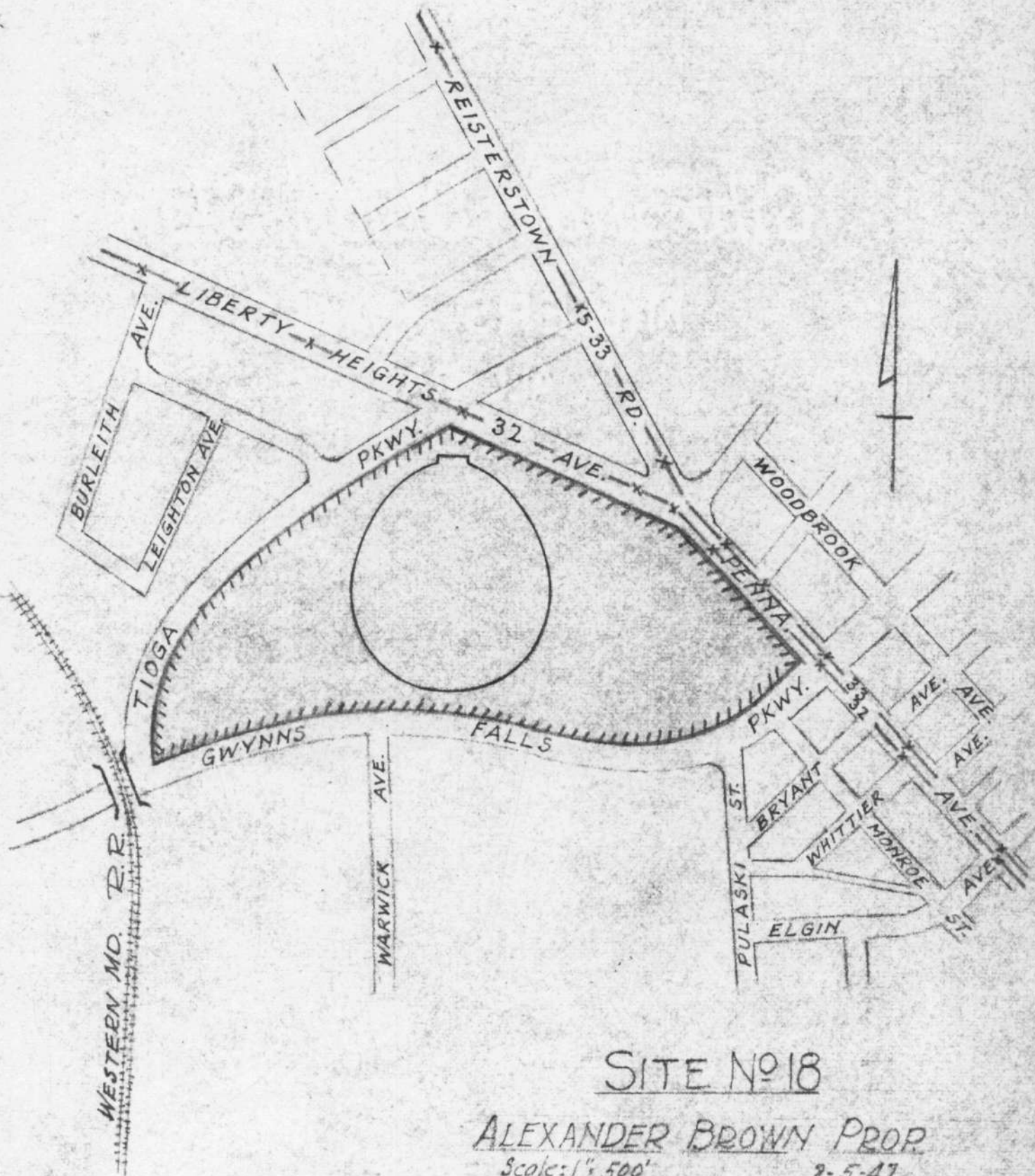
The land and improvements are assessed at \$242,200.00 and as the Commissioners on Opening Streets advised that the present-day value of property is about three times the assessed value the cost of acquisition of this site would be over \$725,000.00

Transportation facilities and existing public utilities are adequate. Considerable grading would be required to provide necessary parking area.

The site is located about 2 miles from center of population.

Site and surrounding property zoned residential; nearest dwelling 800 feet to center of site.





MASS TRANSPORTATION  
RAIL

SITE NO. 19.JONES FALLS VALLEY NORTH OF 41st STREET

Site consisting of 46 acres is located north of 41st Street Bridge and east of Jones Falls. A large portion of site adjacent to the falls is low and subject to inundation, while a high embankment extends along the eastern section of the property. The entire site is covered with overgrowth and trees. The location is about  $2\frac{1}{4}$  miles from population center.

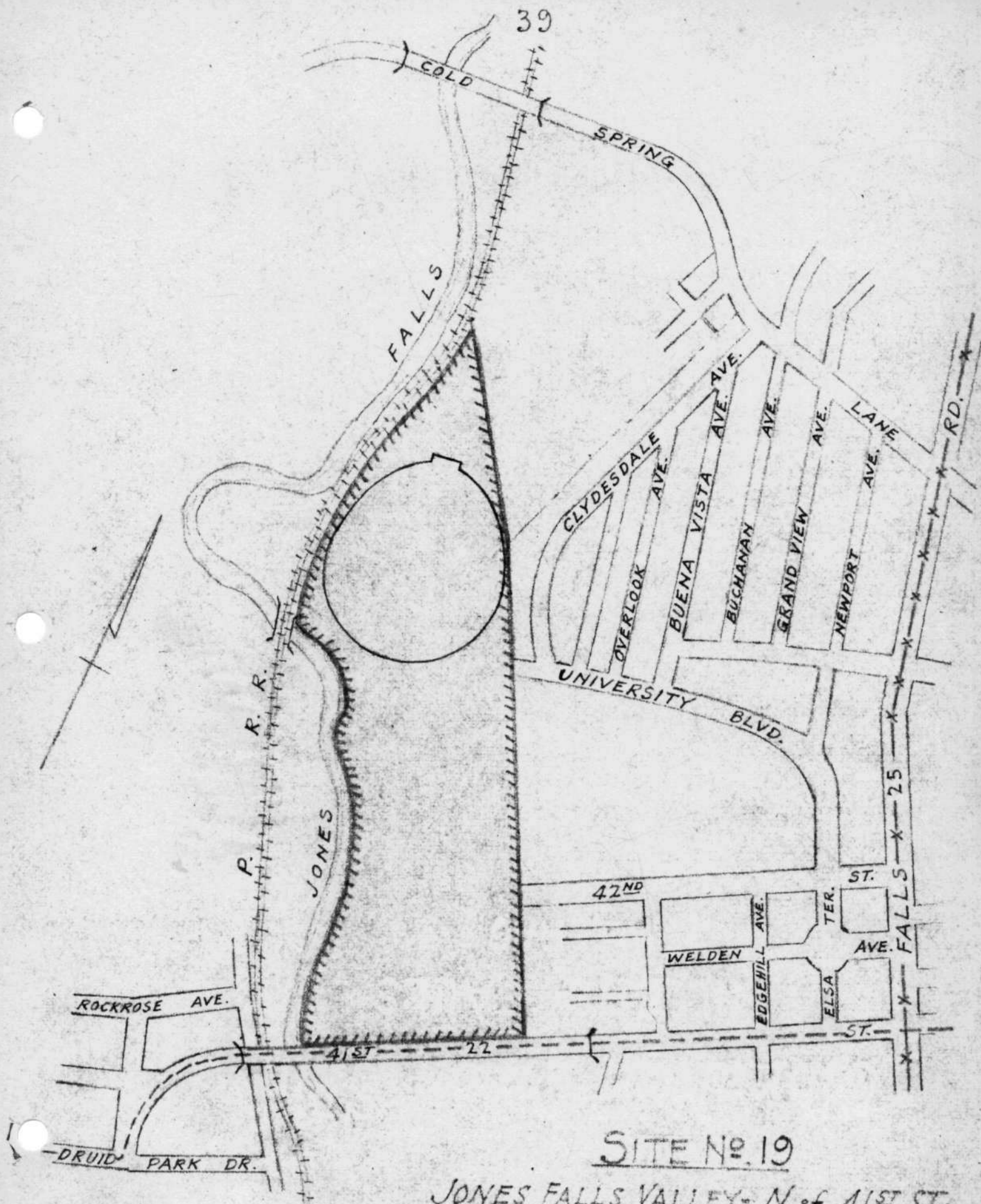
The land is assessed for only \$9,740, but with improvements noted thereon it is believed the site could not be acquired for less than \$50,000.

Considerable grading and costly road construction is necessary to make this site available for playing field and parking area.

Accessibility into and from the site is very poor and offers no opportunity for rapidly dispersing traffic. Topographically unsuitable for this type of development.

It would cost \$10,000 to provide for sanitary sewer connections, otherwise existing public utilities are adequate. Mass transportation is provided by rail line on Falls Road and bus line on 41st Street.

Major portion of site and property south and west zoned 2nd commercial, east of site residential; nearest dwelling 1100 feet to center of site.



SITE No. 19

JONES FALLS VALLEY - N. of 41ST ST.

Scale: 1" = 500'

8-6-47.

MASS TRANSPORTATION

--- BUS  
 --- X X X RAIL

SITE NO. 20PUTNAM STREET SITE

This site, containing 39 acres, is owned by Montgomery Ward & Co., and located on the northwest corner of Washington Boulevard and Putnam Street (B. & O. R.R.), adjacent to the Carroll Park Municipal Golf Course. The land is fairly level with small amount of overgrowth and trees. There are no improvements on the site. The location is three miles from center of population.

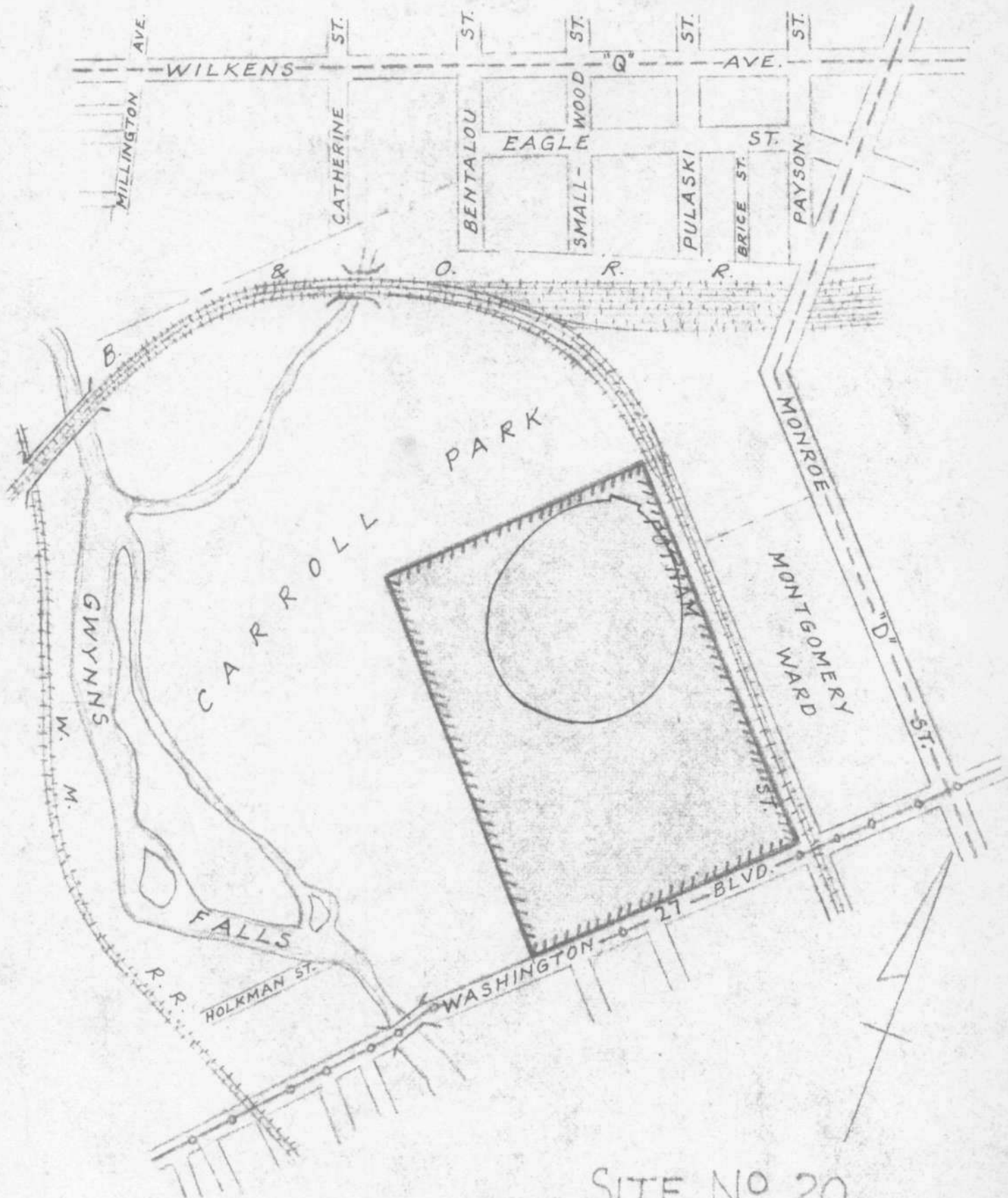
The assessed value of the land is \$171,750.00 which would make the cost of acquisition probably \$520,000.00

The site is provided with adequate mass transportation and railroad facilities. All existing public utilities are adequate. There is ample space to provide for on-site parking of 6,300 cars.

Attention is directed to the fact that Washington Boulevard is the only thoroughfare bordering on the site that is available for dispersing of traffic and this condition is made worse by the existence of the B. & O. R.R. grade crossing at the site and the Western Maryland R.R. grade crossing 1,200 feet to the west which cause frequent tie-up of traffic.

Site and property east and south zoned 2nd commercial, north and west residential; nearest dwelling 1400 feet to center of site.





SITE NO 20

PUTNAM ST. SITE

Scale: 1"=500'

8-4-47.

MASS TRANSPORTATION

BUS

TRACKLESS TROLLEY



SITE NO. 21ST. MARY'S INDUSTRIAL SCHOOL

This site containing  $81\frac{1}{2}$  acres is located between Caton Avenue and De Soto Road and between Peak Avenue and the proposed extension of Benson Avenue, being the southern portion of St. Mary's Industrial School property south of Wilkens Avenue. Terrain is clear farm land, rolling to rough. The site is located about four miles from center of population.

This land is not taxable by the City, however, the Bureau of Assessment has placed an assessed value of \$1,500 per acre on the land, which would make the total assessed value of \$122,000 and the probable purchase price \$366,000.

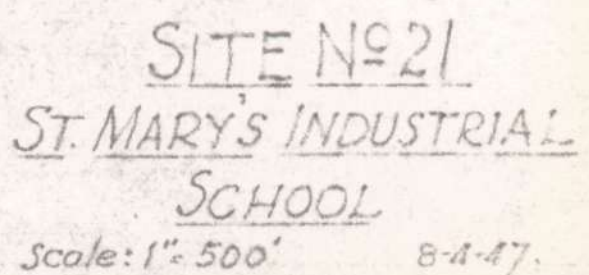
The only mass transportation facility is a bus line located on Wilkens Avenue.

Considerable grading is required to prepare site for structure and parking area.

Existing public utilities are adequate.

Attention is called to the fact that the St. Agnes Hospital buildings are located only 1,000 feet from the N.W. corner of this site.

Site and surrounding property zoned residential, nearest dwelling 1,000 feet to center of site.



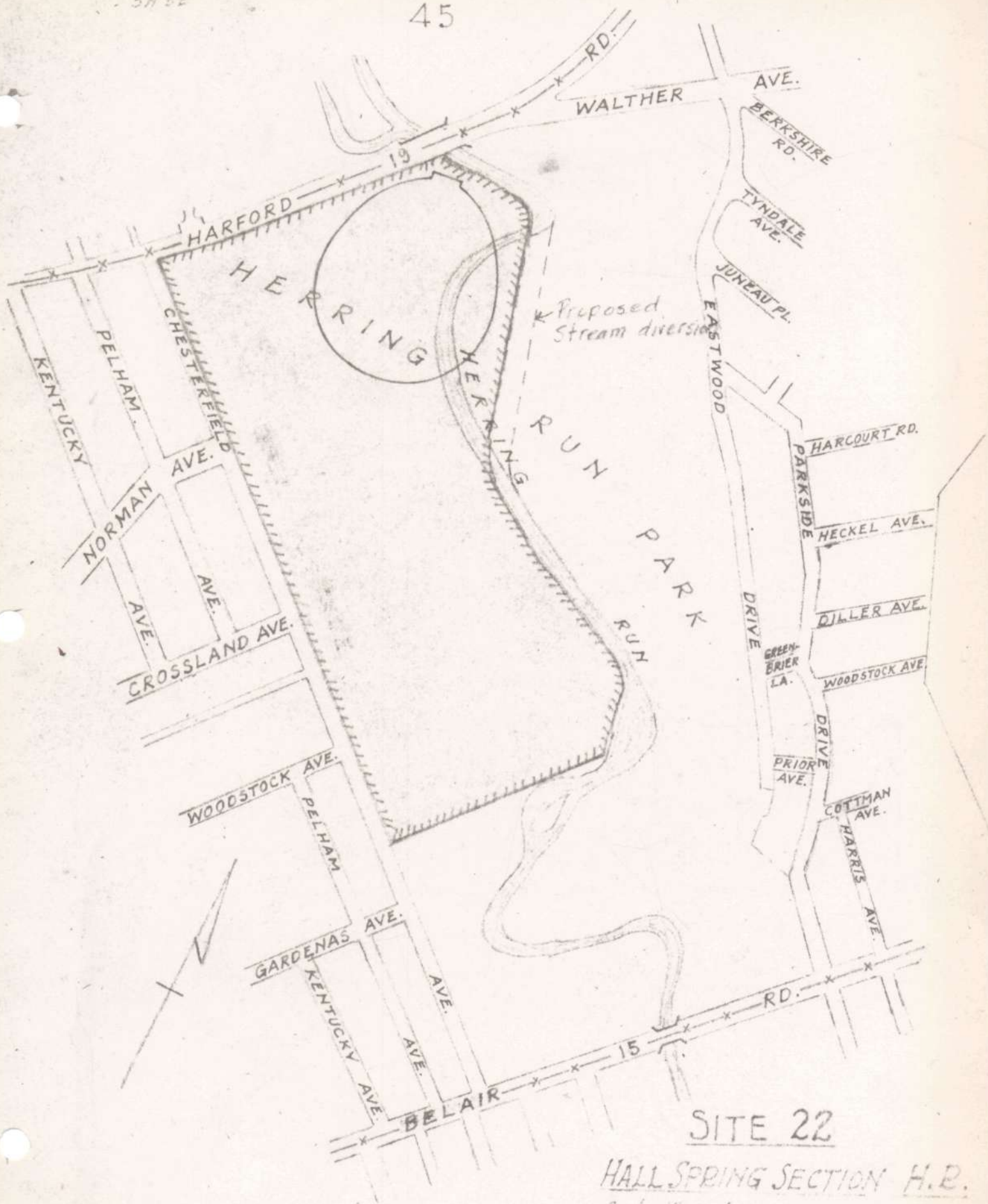
SITE NO. 22.HALL SPRING SECTION - HERRING RUN PARK

A site consisting of approximately 70 acres located on City property in Herring Run <sup>park</sup> between Harford and Belair Roads and between Chesterfield Avenue and Herring Run. There are four existing base-ball diamonds on the site and two more are under construction. The site lies within  $2\frac{1}{2}$  miles of center of population.

The site and surrounding territory is zoned residential and the nearest dwelling would be about 800 feet from the center of the suggested location of the structure. (See Plat).

Mass transportation is provided by the No. 19 car line on the Harford Road immediately adjacent to the site and by the No. 15 line on the Belair Road. The main line of the Baltimore & Ohio Railroad is located within  $1\frac{1}{4}$  miles of the site. Though three main arterial streets, namely, Harford Road, Belair Road and Walther Boulevard are close by it will be necessary to increase the curb to curb width of Chesterfield Avenue to a minimum of 44 feet, on City property, to provide rapid dispersing of traffic to and from the Harford and Belair Road. The cost of this improvement is estimated to be \$45,000.





SITE 22

HALL SPRING SECTION H.R.

Scale: 1" = 500'

8-5-47

MASS TRANSPORTATION  
RAIL

As shown on the plat, with the diversion of about 1,000 feet of Herring Run east of the Harford Road bridge, which would be at a small cost, the site is topographically fitted for a stadium site. The land is level and no grading will be required. A net area of 60 acres for parking will be available providing space <sup>for</sup> ~~of~~ 13,000 cars on the site.

All required public utilities are existing and are of adequate size.

#### Summary

##### Advantages

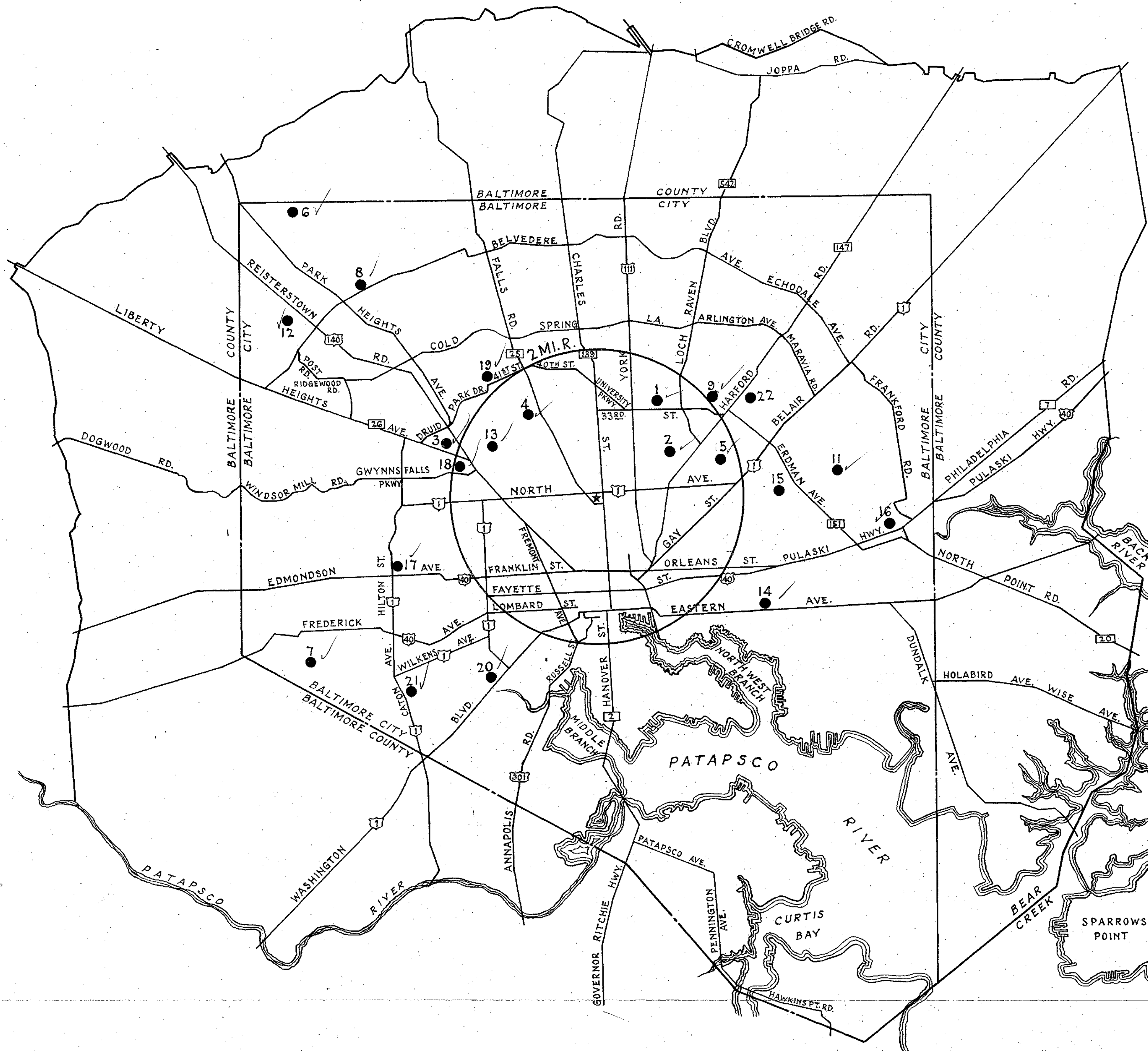
- A - No land acquisition required.
- B - Sufficient area to provide parking for 13,000 cars on site.
- C - Mass transportation facilities adequate.
- D - No grading required.
- E - Within  $2\frac{1}{2}$  miles of center of population.
- F - Existing utilities are adequate.
- G - Accessibility to site provided by main thoroughfares from all sections ~~of~~ the City.
- H - No dwellings on three sides of structure.
- I - The present stadium can be used while one on this site is under construction.

##### Disadvantages

Nearest dwelling: on Chesterfield Avenue 800 feet to the center of the structure.

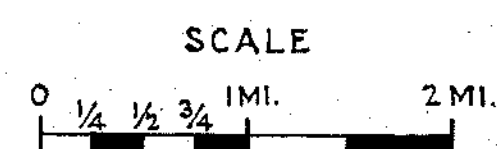
Widening of Chesterfield Avenue on a fill, from Belair Road to Harford Road at an estimated cost of \$45,000.



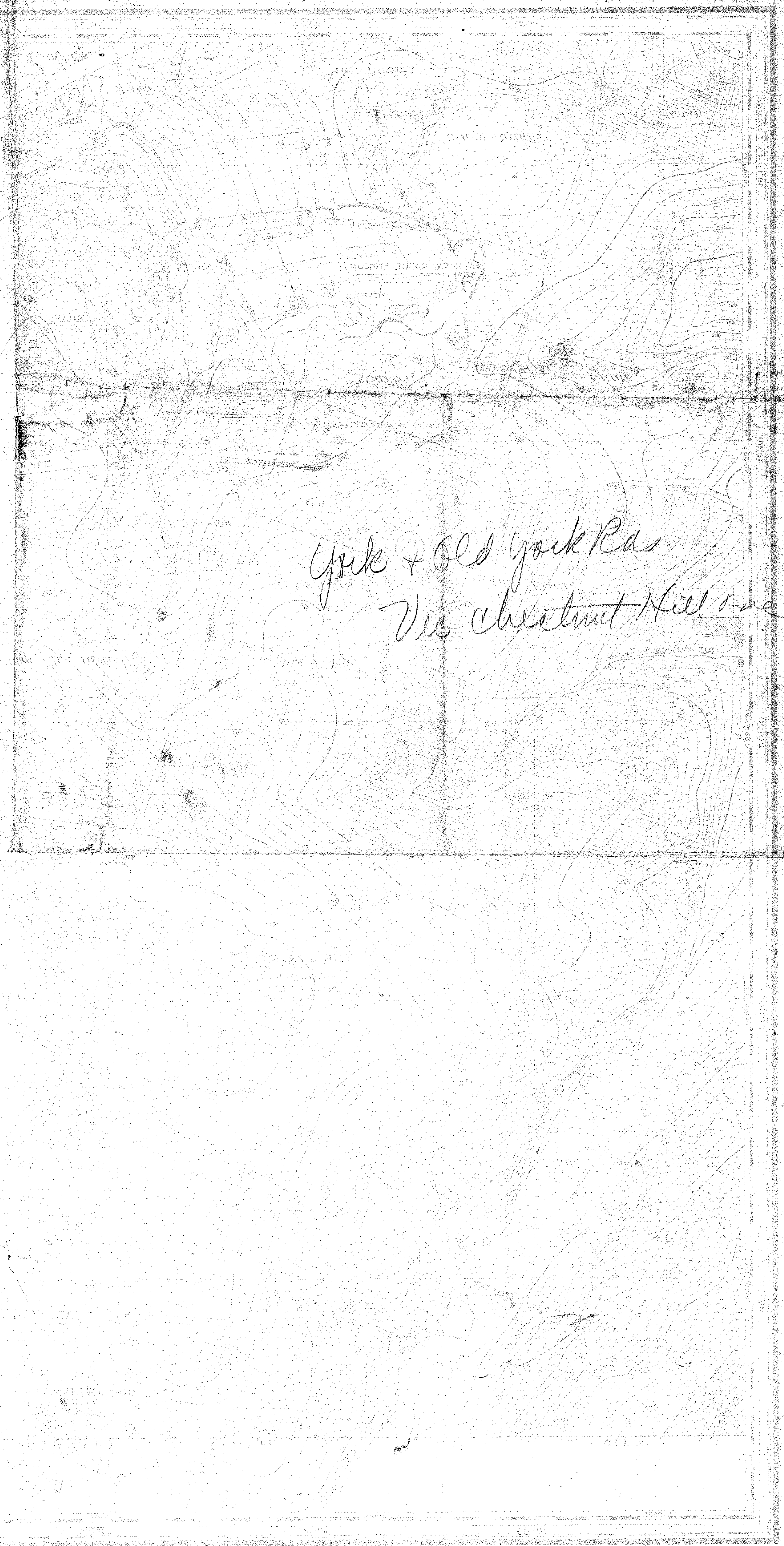


- SUGGESTED SITES FOR STADIUM**
- SITE NO.
- ① Present Location
  2. Kirk Ave.
  3. Druid Park Drive
  4. Roosevelt Park, and Hampden Reservoir
  - ⑤ Clifton Park Lake
  6. Curtis Wright Airport
  7. Airy Hill-Graue Property
  8. Pimlico Race Track
  9. Lake Montebello
  10. Not Shown on Plat
  11. W.C. Weber Property
  12. H.D. Caplan, Inc. Property
  13. Druid Hill Park
  14. Patterson Park Extension
  15. Bugle Field
  16. Lower Herring Run Park
  17. Bloomingdale Oval
  18. Alexander Brown Property
  19. Jones Falls Valley-North of 41st St.
  20. Putnam St.
  21. St. Mary's Industrial School
  - ②② Hall Spring Section-Herring Run Park
  - ★ Center of Gravity of Population

DEPARTMENT OF PUBLIC WORKS  
OFFICE OF DIRECTOR  
**SUGGESTED SITES**  
FOR  
**PROPOSED MUNICIPAL STADIUM**  
IN RELATION TO MAIN ARTERIAL HIGHWAYS







York & Old York Rd.  
Via Chestnut Hill one

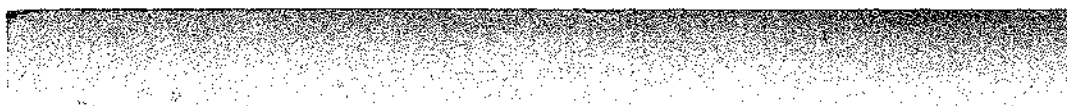
DATE: 1900-10-10

BY: J. H. H.

FOR: J. H. H.

BY: J. H. H.

THE NATIONAL GEOGRAPHIC MAGAZINE



11



## VENABLE PARK SELECTED AS STADIUM SITE

City To Erect \$325,000  
Structure With Seating  
Capacity Of 40,000.

### WORK TO BEGIN AT ONCE

16-Acre Tract In Northern  
Section Picked For Con-  
crete "Horseshoe."

### BOARD REVEALS PLAN

Adequate Car Service As-  
sured: Mayor Commends  
Commissioners.

Erection of a municipal stadium with a seating capacity of 40,000 and standing room for 10,000 more at an estimated cost of \$325,000 in Venable Park, North of Thirty-third street, and about midway between the Greenmount and Harford avenue car lines, was assured yesterday by action of the Park Board. Abandoning the Mount Royal reservoir and all other projects members of the board voted unanimously in favor of the Venable Park site.

A 16-acre tract, the northern half of the park, is to be utilized at once for a concrete "horseshoe" stadium. Eight acres will be devoted to the stadium proper, to be one of the greatest in America, with a playing field 340 feet wide and 670 feet long. The remainder will be devoted to parking space for thousands of automobiles.

Surveys will begin this morning by City Surveyor Hecker and drainage officials, and the board is ready, it was announced by President Boyd, to spend \$200,000 or \$250,000 to complete the stadium to a point where it can accommodate the Army-Marine football game on December 2. Next year an additional \$100,000 will be used to make it complete. The seating capacity possible is virtually limitless.

It will be named for Venable. The big field is to be named "Venable Stadium" after the late Major Richard N. Venable, a former president of the Park Board. The gates are to open on Thirty-third street, which connects Clifton and Wyman parks. The name of the thoroughfare is to be changed to Venable boulevard. The gates will be 100 feet from Venable boulevard. The stadium proper will extend straight north into the heart of a 4-foot knoll. The floor of the playing field will be at street level. The gates and walls will be 40 feet high at the entrance, but extension back into the hill will bring top seats to the "ice" of the horseshoe "hush" at the top of the hill.

The plans were prepared by Chief Engineer Perry and his staff. They combine the best features of the Yale bowl and Syracuse and Ohio stadiums, and provide for football, baseball, soccer, tennis and track and field. A straightaway, straightaway, a feature found possible in the stadium, will be provided for the start in the opening of the race. There will be a quarter-mile track.

It comes as a surprise. The board's "own plan," especially the location of Venable Park as the site for the stadium, was not expected by all "experts" who studied the local possibilities, but members of the Park Board consider the great ideal.

Venable Park will give the city a stadium of which citizens will be proud. It will be capable of entertaining in no more a magnificent stadium, said Mr. Boyd. Gen. Felix Arnold, Edward N. Hanson and Thomas Mott, the other members present, subscribed heartily to the plan. The stadium will be faced with concrete seats. Along the top the walls will be a walk 15 feet wide.

The street car facilities were good, they will be adequate. The main car line is the York road line, from Greenmount to the city center, and the proposed line from the east, the nearest station being at Harford, which is a short distance from the city center. The proposed line will be a branch of the York road line, and will be operated by the city.

On the east, the nearest station being at Harford, which is a short distance from the city center. The proposed line will be a branch of the York road line, and will be operated by the city. The stadium will be faced with concrete seats. Along the top the walls will be a walk 15 feet wide.

The stadium will be faced with concrete seats. Along the top the walls will be a walk 15 feet wide.

## BOYD REJECTS PLBA OF CLIFTON GOLPERS

Park Board Head Refuses To  
Set Date For Opening  
Of Course.

### INSISTS ON IMPROVEMENTS

Rolling Of Links To Begin Mon-  
day—Work Will Require  
Four Days.

Replying to pleas of a delegation of three prominent golfers, who said they represented "the public" in asking the opening of the Clifton Park golf course, J. Cookman Boyd, president of the board, yesterday declined to set a date for the opening.

The course will be opened as soon as the board considers the opening to be good for the course and for the best interests of the golfers. President Boyd said. Previously he had taken sharp issue with published criticisms of the policy of the Park Board regarding the links and had called upon Superintendent of Parks Jones for a statement.

Mr. Jones said that the course needs rolling and that it should not be opened until the rolling is finished. Unless rain intervenes, he said, the rolling will be put to work on Monday and should finish the job in about four days.

The chief spokesman of the delegation was Dr. J. M. Cole. The other members were H. V. Silliman and C. C. Matye.

Taken Issue With Arguments. Dr. Cole said that he recognized the responsibility of the Park Board and the necessity for upholding its authority. He said, however, that during the 11 years he was president of Washington College he had the care of extensive lands and believed that walking on the soil during April rains would do it good rather than injury it. Mr. Boyd then questioned the statement of Dr. Cole as to whether they also were grass-growing experts, and apparently some of the discredited addresses when they confessed that they were not.

When Dr. Cole and the other petitioners went on to say that the Baltimore Country Club, Rolling Park and other courses are open and, apparently, suffering no injury, Mr. Boyd took issue and was backed by Mr. Jones.

The public links in Clifton Park cannot be compared to private links, said Mr. Jones. "Clifton Park now is in such shape that 10 to 20 players a day could use it without injury, but, in my opinion, it would be ruinous to allow the course to be used by 250 persons who would come out on Easter Sunday. We keep the boys off the ball grounds and close the tennis courts on rainy days, but golfers object to the same treatment."

Managers of baseball parks turn back crowds of 40,000 persons rather than have their grounds injured by players in rainy weather. In fact, Mr. Jones suggested that the Golf Association pick 10 golfers to play on the links, but Mr. Boyd said that they must be shown open to all or none. Replying to a criticism contained in a letter, Mr. Boyd denied that the links are being put in good shape so that "tournaments can be staged." He said that if tournaments interfere with the pleasure of the general golfing public they will not be permitted.

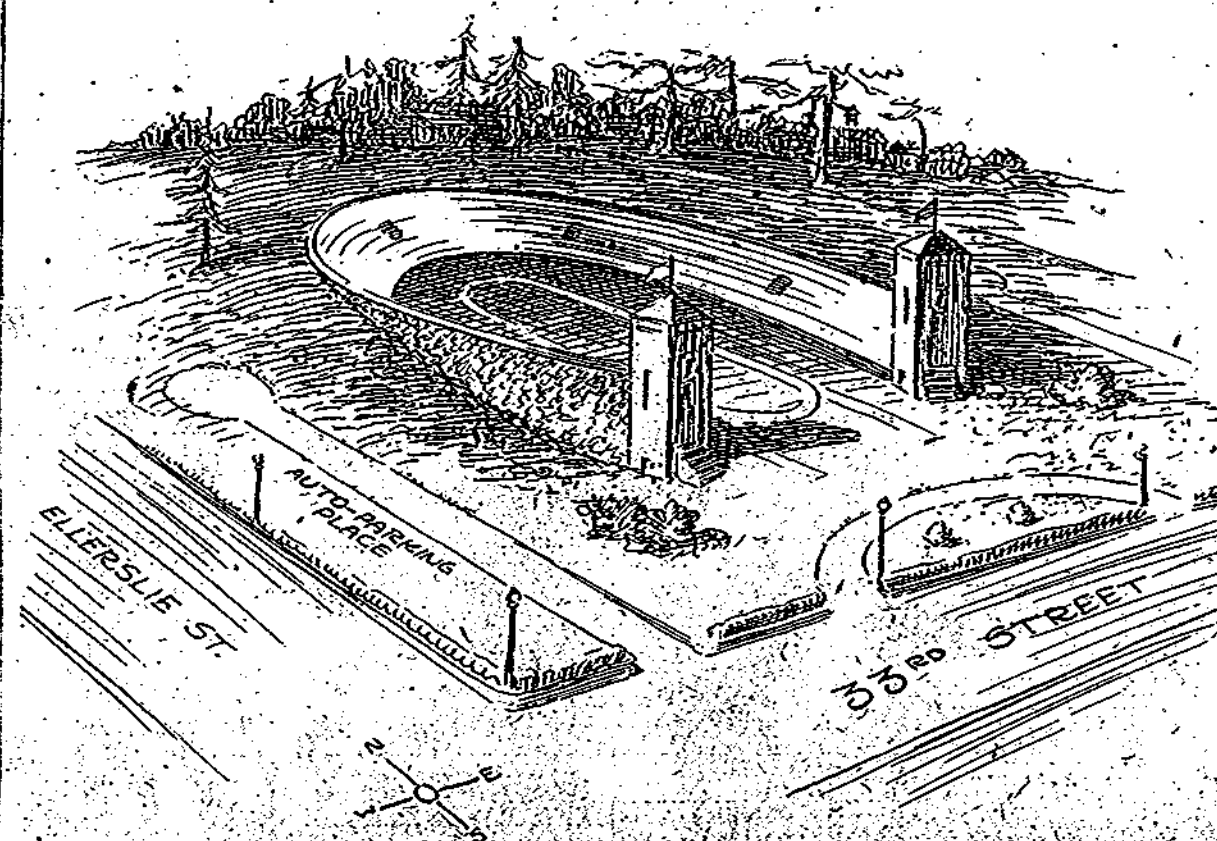
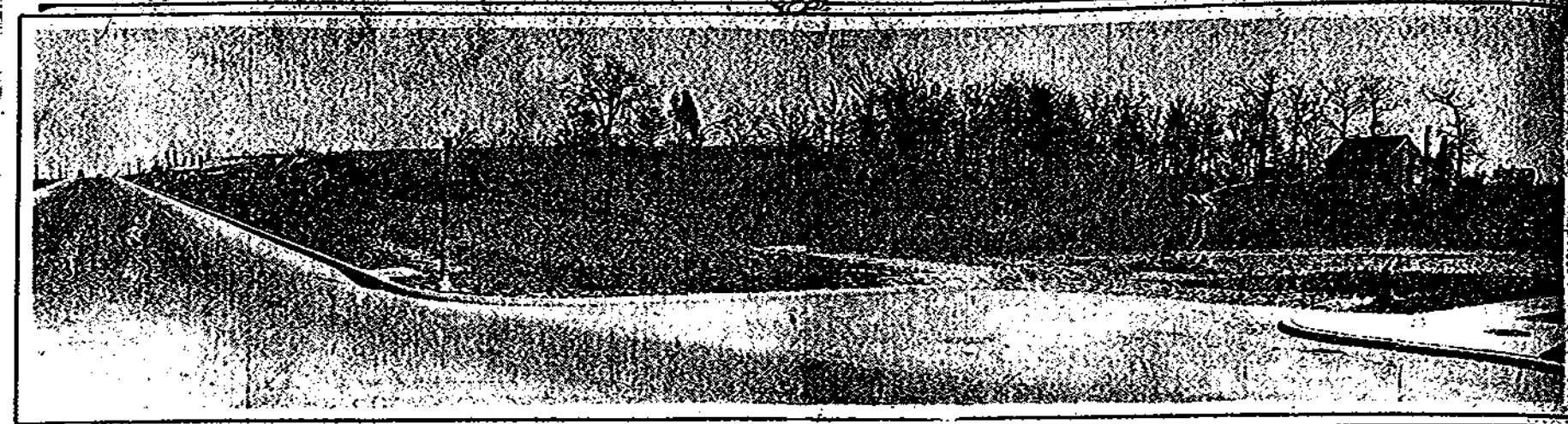
The discussion was amicable, and the three representatives said that they were willing to abide by the decision of the board.

## HOPKINS' GRAND-NIECE DIES IN VIENNA HOME

Was Relative Of University  
Founder.

The names of the winners of today's Lincoln Prizes will be found on page 6.

## Panoramic View Of Stadium Site And Artist's Conception Of "Horseshoe"



Construction of the "horseshoe" type of stadium depicted by the drawing was decided upon yesterday by the Park Board, with Venable Park, on Thirty-third street, as the location. It will be within walking distance of the St. Paul street, York road and Harford road cars, and new street car service is to be provided. The stadium, to cost \$350,000, will be one of the largest in America. The playing field will be 340 feet wide and 670 feet long, with longer "straightaway" running tracks starting between the gates. The seats on the inside of the stadium will be of concrete. Capacity of the stadium will be 40,000, with temporary provisions for 10,000 more persons. A line drawn from the

top seat to the bottom seat would be 100 feet long. Around the top will be a 15-foot walk. The floor of the stadium will be at street level, the gates, without ornamental posts depicted here, will be 40 feet high. The walls will be burrowed out of the hill north of Thirty-third street, so that at the "ice" of the horseshoe the top seats will be flush with the top of the hill. Eventually the slopes about the stadium will be sodded and ornamented with shrubbery. High ornamental gates probably will be added in future years. The stadium is to be known as "Venable Stadium" after the late Major Richard N. Venable.

## GOVERNOR VETOES MARRIAGE MEASURE

Disapproves Tri-County Act To  
Preserve Uniformity Of  
State Laws.

(Special Dispatch to The Baltimore American.) Annapolis, Md., April 13.—Governor Ritchie today vetoed the state clean-up of legislative business by signing on all the bills left in his hands by the General Assembly, signing 319 and vetoing 30. With the bills provisionally acted on, the Governor signed a total of 349 bills and vetoed 25. The Legislature passed 519 bills and 28 joint resolutions, about 100 less than two years ago.

In vetoing the thirty bills today, most of them of local interest only, the Governor gave out a statement relative to each measure and giving his reasons for withholding his signature. Harford Opposes Marriage Bill. The vetoed bill of the most general interest was that relating to marriage in Cecil, Somerset and Montgomery counties. This measure provided that no marriage license should be issued to applicants who had not resided in the State for the preceding 45 days. It was designed to break up the marriage mart at Elkton and was originally introduced in its application, but was so amended as to include only the three counties mentioned. The opposition to the bill seems to have come mostly from the residents of Harford county, who claimed that the present would be to send runaway couples from other States to Harford county where the same situation as now prevails at Elkton might be renewed. The opposition was led by Sen. Walter Todman of Harford, who is present today and thanked the Governor for his veto.

In his statement relating to this bill the Governor said: "The bill in question is a measure for the purpose of breaking up the marriage mart at Elkton and was originally introduced in its application, but was so amended as to include only the three counties mentioned. The opposition to the bill seems to have come mostly from the residents of Harford county, who claimed that the present would be to send runaway couples from other States to Harford county where the same situation as now prevails at Elkton might be renewed. The opposition was led by Sen. Walter Todman of Harford, who is present today and thanked the Governor for his veto."

The names of the winners of today's Lincoln Prizes will be found on page 6.

## Hey, Skin-nay! C'mon, Vote For New Animals For Zoo

J. Cookman Boyd Puts Matter Of Children's Preference  
For Additions To Menagerie Squarely Up  
To All Of Them In Baltimore.

"Hey, Skin-nay—C'mon, and vote. And Skin-nay can bring along Buck and Tim and Joe and all the rest of the gang to express preference for new animals for the Druid Hill Park Zoo. J. Cookman Boyd, without making any definite promises in the matter, but with a kindly eye toward the proposition, has commissioned the Zoo Editor to become a zoological ward master for the local menagerie and to collect votes from all the boys and girls in Baltimore to decide what the next additions to the zoo shall be.

The whole thing started with a hand when a small boy wrote the editor and asked him to see if more animals could be induced to enter the local menagerie. The editor appointed a Zoo Editor and Mr. Boyd commissioned him to find out what new animals the boys and girls of Baltimore want.

But there is a simple proviso to the proposition. Whales and elephants are barred. As has been said before, Mr. Boyd promises only to take the matter up with the other members of the Park Board.

## PROPOSES SWEEPING CHANGES IN COUNCIL

Unicameral Board Divides City  
Into Six Election  
Districts.

The report of the City Council Reorganization Committee, urging the abolition of the present two-branch Council and establishment of a single-chamber legislative body with 16 members, will be presented to the Council at its next meeting, April 24, Mayor Broening announced yesterday.

If the Council approves the plan, the committee City Solicitor Marchant will be ordered to draft an ordinance abolishing the present Council and establishing a single-chamber legislative body with 16 members. It is thought likely that the Mayor will seek the aid of the local civic bodies to have the unicameral city government proposed placed on the ballot for election in May, 1923.

The First Branch recently defeated the reorganization plan, passed by the Second Branch. It is regarded as probable that the Mayor will be forced to resort to the latter course. The City Wide Congress, which has been active in urging the unicameral city government and which passed a resolution to recommend reforms in the present system, is expected to be asked to organize the new system before the voters in the event that the Council fails to act.

## ROADS OFFERED CITY BY PRIVATE OWNERS

Christhill's Proposition As  
Taking Over Hill Top Park  
Streets Accepted.

### CITY ATTORNEY TO DECIDE

Mayor Asks For Funds Needed  
Repair Highways In Mt.  
Washington.

The offer made on Wednesday by Highway Engineer August E. Christhill, and published in The Baltimore American, to take over the private owned streets in the Hill Top section of Mount Washington was accepted yesterday by the Mount Washington Development Company and Hill Top Park Company, their secretary, Arthur C. Gibson. These companies own roads in a section of the city which have the cause of much complaint from the residents, whose homes from them because of their winding condition. The development company declined to repair them, disclaiming responsibility, while the city, through Mr. Christhill, refused to do so because, being privately owned, they were not public thoroughfares. Mr. Christhill promised to take over and repair the roads the development companies own, and they would send them to the city.

Mr. Gibson's letter to the city, which was accepted by the city, was as follows:

April 13, 1922.  
August E. Christhill, Esq.,  
City Engineer, Baltimore, Md.  
Dear Sir:—Referring to the offer belonging to the Mount Washington Development Company and the Hill Top Park Company, which the city has open and paved, I beg to state that we have been placed in the same condition as 1921, when the Mount Washington Development Company and the Hill Top Park Company are ready to develop streets to the city without consideration, but in view of the fact that

Continued on Page 6.

## FREDERICK ROAD PARK OPENS Tomorrow.

Baltimore's  
Recreation  
Center.

The Park of innocent amusement and up-to-date devices. Featuring the wonderful Imperial Six On Wheels. Dancing 8:30 to 11:30. Come out and bring your friends. Don't fail to see your straw hat.

## The Gas & Electric Will Be Closed Today

Don't Delay Having  
Your Eyes Examined  
S. J. V. MALLISTER  
1515 North Ave.  
Phone 1515

BEAUTIFUL HYDRANGEA  
For Sale



## VENABLE PARK SELECTED AS STADIUM SITE

City To Erect \$325,000  
Structure With Seating  
Capacity Of 40,000.

### WORK TO BEGIN AT ONCE

16-Acre Tract In Northern  
Section Picked For Con-  
crete "Horseshoe."

### BOARD REVEALS PLAN

Adequate Car Service As-  
sured; Mayor Commends  
Commissioners.

Erection of a municipal stadium with a seating capacity of 40,000 and a standing room for 10,000 more at an estimated cost of \$325,000 in Venable Park, North of Thirty-third street and about midway between the Greenmount and Harford avenue car lines, was assured yesterday by action of the Park Board. Abandoning the Mount Royal reservoir and all other projects members of the board voted unanimously in favor of the Venable Park site.

A 16-acre tract, the northern half of the park, is to be utilized at once for a concrete "horseshoe" stadium. Eight acres will be devoted to the stadium proper, to be one of the greatest in America, with a playing field 340 feet wide and 670 feet long. The remainder will be devoted to parking space for thousands of automobiles.

Surveys will begin this morning by City Surveyor Hecker and drainage officials, and the board is ready, it was announced by President Boyd, to spend \$200,000 or \$225,000 to complete the stadium to a point where it can accommodate the Army-Marine football game on December 2. Next year an additional \$100,000 will be used to make it complete. The seating capacity possible is virtually limitless.

#### Will Be Named For Venable.

The big field is to be named "Venable Stadium" after the late Major Richard N. Venable, a former president of the Park Board. The gates are to open on Thirty-third street, which connects Clifton and Weyman Parks. The name of the thoroughfare is to be changed to Venable boulevard.

The gates will be 100 feet from Venable boulevard. The stadium proper will extend straight north into the heart of a 40-foot knoll. The floor of the playing field will be at street level. The gates and walls will be 30 feet high at the entrance, but extension into the hill will bring top seats to the "top" of the horseshoe-shaped knoll.

Plans were prepared by Chief Engineer Perry and his staff. The plan is a big surprise. The stadium will be a masterpiece of the local planning.

#### Insists On Delay.

Mr. Jones suggested that the Golf Association pick 50 golfers to play on the links, but Mr. Boyd said that they must be thrown out on all or none. Hoping to a criticism contained in a letter, Mr. Boyd denied that the links are being put in good shape so that "tournaments can be staged."

#### Insists On Delay.

The discussion was amicable and the three representatives said that they are willing to abide by the decision of the Board.

## BOYD REJECTS PLEA OF CLIFTON GOLFERS

Park Board Head Refuses To  
Set Date For Opening  
Of Course.

### INSISTS ON IMPROVEMENTS

Rolling Of Links To Begin Mon-  
day—Work Will Require  
Four Days.

Replying to pleas of a delegation of three prominent golfers, who said they represented "the public" in asking opening of the Clifton Park golf course, J. Cookman Boyd, president of the board, yesterday declined to set a date for the opening.

"The course will be opened as soon as the board considers the opening to be good for the course and for the best interests of the golfers," President Boyd said. "Previously he had taken sharp issue with published criticisms of the policy of the Park Board regarding the links and had called upon Superintendent of Parks Jones for a statement."

Mr. Jones said that the course needs rolling and that it should not be opened until the rolling is finished. Unless rain intervenes, he said, the rollers will be put to work on Monday and should finish the job in about four days.

The chief spokesman of the delegation was Dr. J. M. Cain. The other members were H. J. Springer and C. C. Marye.

#### Takes Issue With Arguments.

Dr. Cain said that he recognized the responsibility of the Park Board and the necessity for upholding its authority. He said, however, that during the 15 years he was president of Washington College he had the care of extensive lawns and believed that walking on the sod during April rains would do it more harm than injury. Mr. Boyd then questioned Mr. Springer and Mr. Marye as to whether they also were grass-growing experts, and apparently somewhat disconcerted their addresses when they confessed that they were not.

When Dr. Cain and the other petitioners went on to say that the Baltimore Country Club, Rolling Road and other courses are open and, apparently, suffering no injury, Mr. Boyd took issue and was backed by Mr. Jones.

#### Insists On Delay.

The public links in Clifton Park cannot be compared to private links, said Mr. Jones. "Clifton Park now is in such shape that 40 to 50 players a day could use it without injury, but in my opinion, it would be ruined for a long time if 2000 persons who would come out on Easter Sunday. We keep the boys off the ball grounds and close the tennis courts on rainy days, but golfers object to the same treatment."

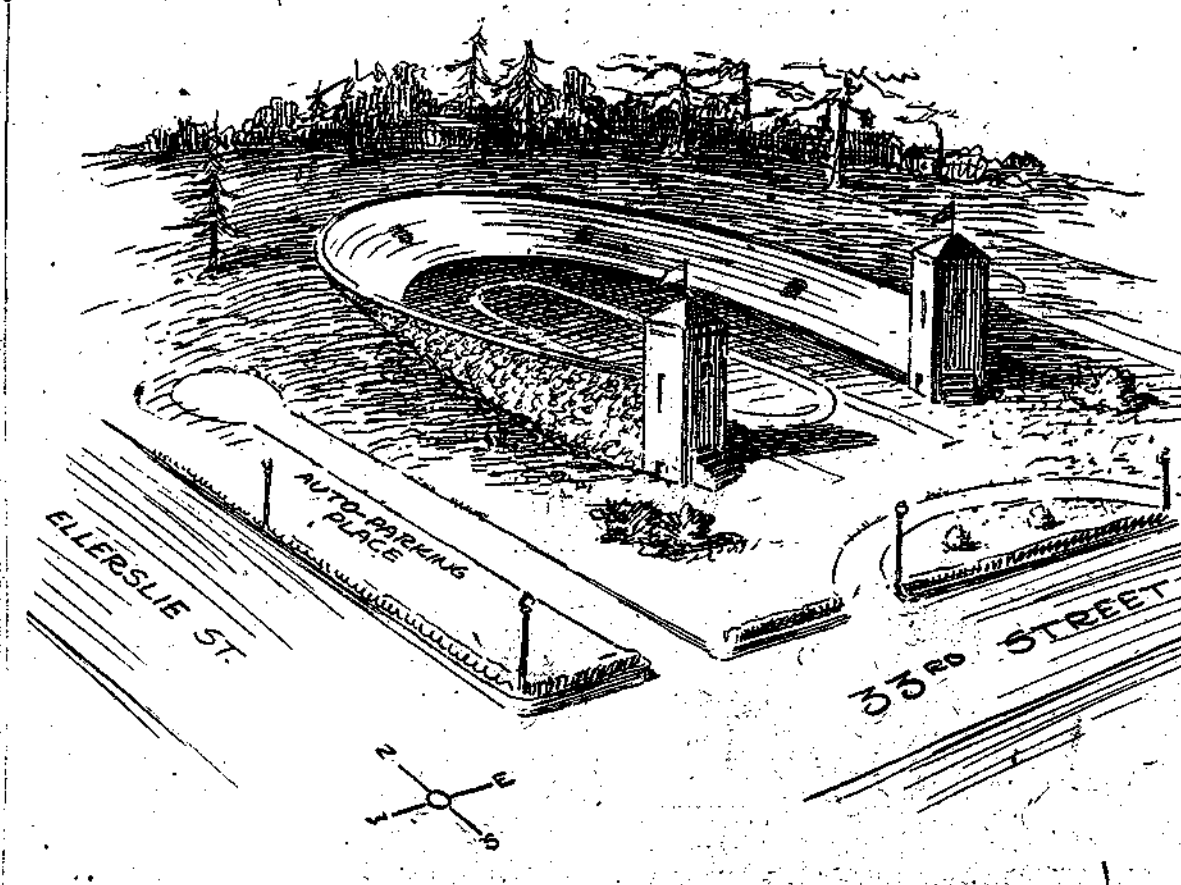
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## Panoramic View Of Stadium Site And Artists' Conception Of "Horseshoe"



Construction of the "horseshoe" type of stadium depicted by the drawing was decided upon yesterday by the Park Board, with Venable Park, on Thirty-third street, as the location. It will be within walking distance of the St. Paul street, York road and Harford road cars, and new street car service is to be provided. The stadium, to cost \$350,000, will be one of the largest in America. The playing field will be 340 feet wide and 670 feet long, with longer "straightaway" running tracks starting between the gates. The seats on the inside of the stadium will be of concrete. Capacity of the stadium will be 40,000, with temporary provisions for 10,000 more persons. A line drawn from the

top seat to the bottom seat would be 100 feet long. Around the top will be a 15-foot walk. The floor of the stadium will be at street level, the gates, without ornamental posts depicted here, will be 40 feet high. The walls will be burrowed out of the hill north of Thirty-third street, so that at the "top" of the horseshoe the top seats will be flush with the top of the hill. Eventually the slopes about the stadium will be sodded and ornamented with shrubbery. High ornamental gates probably will be added in future years. The stadium is to be known as "Venable Stadium" after the late Major Richard N. Venable.

## GOVERNOR VETOES MARRIAGE MEASURE

Disapproves Tri-County Act To  
Preserve Uniformity Of  
State Laws.

(Special Dispatch to The Baltimore American.)  
Annapolis, Md., April 15.—Governor Ritchie today vetoed the state clean of legislative business by acting on all the bills left in his hands by the General Assembly, signing 393 and vetoing 20. With the bills previously acted on the Governor signed a total of 511 and vetoed 54. The Legislature passed 549 bills and 30 joint resolutions, about 100 less than two years ago.

In vetoing the thirty-third bill today, most of them of local interest only, the Governor gave out a statement relative to each measure and giving his reasons for withholding his signature.

#### Harford Opposes Marriage Bill.

The vetoed bill of the most general interest was that relating to marriages in Cecil, Somerset and Montgomery counties. This measure provided that no marriage license should be issued to applicants who had not resided in the State for the preceding 48 hours. It was designed to break up the marriage mart at Elkton and was originally statewide in its application but was so amended as to include only the three counties mentioned. The opposition to the bill seems to have come mostly from the residents of Harford county, who claimed that the result would be to send runaway couples from other States to Harford for marriage. The same situation as now prevails at Elkton might be renewed. The opposition was led by State Senator Tydings of Harford, who was present today and thanked the Governor for his veto.

In his statement relating to this bill the Governor said:

"If other officers act in an unwarranted manner, it is the duty of the people to elect better officers and to see that they do it. If the Legislature has not done this, it is the duty of the people to elect better officers and to see that they do it."

## Hey, Skin-nay! C'mon Vote For New Animals For Zoo

J. Cookman Boyd Puts Matter Of Children's Preference  
For Additions To Menagerie Squarely Up  
To All Of Them In Baltimore.

"Hey, Skin-nay—C'mon and vote. And Skinnay can bring along Buck and Tim and Joe and all the rest of the gang to express preferences for new animals for the Druid Hill Park Zoo," J. Cookman Boyd, without making any definite promises in the matter, but with a mighty kindly eye toward the proposition, has commissioned the Zoo Editor to become a zoological ward better for the local menagerie and to collect votes from all the boys and girls in Baltimore to decide what the next additions to the zoo shall be.

The whole thing started with a bang when a small boy wrote the editor and asked him to see if more animals could be induced to enter the local menagerie. The editor appointed a Zoo Editor and Mr. Boyd commissioned him to find out what new animals the boys and girls of Baltimore want.

But there is a single proviso to the proposition. While the big bear is hardly big enough for a whale, although one would look powerfully hobbie fishing about during the warm summer months, and there is no elephant house. Besides, elephants are too expensive to buy and keep and they sometimes go "musty" without warning. So elephants and whales are barred.

But there is a wide range to select from. As compiled by Mr. Boyd it follows:

- Lions.
- Bears.
- Box Catfish.
- Deer.
- Camels.
- Tigers.
- Birds.
- Chimpanzees.
- Zebbras.
- Buffaloes.
- Foxes.
- Wolves.
- Sea Lions.
- Raccoons.
- Giraffes.

As has been said before, Mr. Boyd promises only to take the matter up with the other members of the Park Board.

Continued on Page 6.

## More Animals At Zoo?

Boys and girls of Baltimore, the Zoo Editor of the American is asking you to help him decide what new animals to add to the Druid Hill Park Zoo before long.

Would you like to see some new animals at the Zoo? If so, please write to the Zoo Editor, 1000 North Avenue, Baltimore, Md., and tell him what you want.

First, do you want more animals at the Zoo?

Second, what animals do you want?

Third, why do you want them?

Fourth, how do you want them?

Fifth, when do you want them?

Sixth, where do you want them?

Seventh, how much do you want to pay for them?

Eighth, how do you want to pay for them?

Ninth, how do you want to pay for them?

Tenth, how do you want to pay for them?

## PROPOSES SWEEPING CHANGES IN COUNCIL

Unicameral Board Divides City  
Into Six Election  
Districts.

The report of the City Council Reorganization Committee, urging the abolition of the present two-branch Council and establishment of a single-chamber legislative body with 12 members will be presented to the Council at its next meeting, April 24, Mayor Brodhead announced yesterday.

If the Council approves the plan of the committee, City Solicitor Harshbarger will be ordered to draft an ordinance submitting the proposed changes to the voters at the next municipal election. Should the Council fail to endorse the plan, it is thought likely that the Mayor will ask the City of the local civic bodies to move the unicameral city government proposal placed on the ballot for election.

#### Issue May Be Settled Next Week.

As the First Branch recently defeated the reorganization plan passed by the Second Branch, it is regarded as probable that the Mayor will be forced to resort to the latter course. The City-Wide Congress, which has been active in urging the unicameral city government and which voted a committee to recommend a referendum in the present system, is expected to submit a referendum to the voters before the year is out, and the Council will act on it.

The report of the committee, which was submitted to the Council at its last meeting, is as follows:

"The present system of government is inefficient and wasteful. It is necessary to establish a single-chamber legislative body with 12 members, elected by the voters at the next municipal election. This will save the city a large amount of money and will result in a more efficient government."

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## ROADS OFFERED BY PRIVATE OWNERS

Christhill's Proposition  
Taking Over Hill Top  
Streets Accepted.

### CITY ATTORNEY TO DE

Mayor Asks For Funds Now  
Repair Highways In  
Washington.

The offer made on Wednesday by Highway Engineer August Christhill, and published in The Baltimore American, to take over the Hill Top section of Mount Washington, accepted yesterday by the Mount Washington Development Company, their secretary, Arthur C. Gibson, said that the city would be the cause of much complaint from the residents whose homes are then because of their condition. The development company declined to repair them, and responsibility, while the city, Mr. Christhill, refused to take them because, being private, they were not public property. Mr. Christhill promised to take over and repair the development company, they would feed them to the city.

#### Mr. Gibson's Letter.

His offer was accepted by the city, who yesterday passed the following letter:

April 15, 1915.  
August E. Christhill, Esq.,  
Washington, D. C.  
Dear Sir:—Your letter of the 14th inst. regarding the Hill Top section of Mount Washington, belonging to the Mount Washington Development Company, is received. The company has been open and paved. I have told you after we have been in condition for some time. The company and the city are ready to take over the city, but in view of the fact that the city is not in a position to take over the city, the city is not in a position to take over the city.

Continued on Page 6.

## FREDERICK ROAD ON TOMORROW Baltimore Recreation Center

The Park Board has decided to build a recreation center on Frederick Road, on the corner of the road and the city line. The center will be a large building, with a swimming pool, a tennis court, and a playground. It will be a place where the people can go to relax and enjoy the outdoors.

The center will be a place where the people can go to relax and enjoy the outdoors. It will be a place where the people can go to relax and enjoy the outdoors. It will be a place where the people can go to relax and enjoy the outdoors.

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1-EXHIBITS--(BARTLETT, POE & CLAGGETT)

PLAINTIFF'S EXHIBIT NO. 21

(Filed in Open Court)

C O P Y

BALTIMORE BASEBALL & EXHIBITION CO.  
Baltimore 18, Maryland

April 10, 1945.

Charles C. G. Evans, Esq.  
1000 Maryland Trust Building  
Baltimore 2, Maryland

Re: Use of Municipal Stadium by  
Baltimore Baseball Club.

Dear Mr. Evans:

We are writing this letter to supplement the conference which you, Mr. J. Kemp Bartlett, Jr., and I had on Monday, April 2d, at which time you asked us to put in writing those things we felt could be done by the Baseball Club to meet the demands of your clients. You and your clients are to understand, of course, that we do not admit that the use of the Stadium by the Baseball Club under its license from the Board of Park Commissioners is in any way unlawful or improper, nor do we admit that the Baseball Club's use of this property in any way constitutes or gives rise to any nuisance for which your clients can maintain a cause of action against the Baseball Club.

As stated to you by us, this letter is written purely for the purpose of endeavoring to reach a mutually agreeable compromise of the matters which we have discussed, and is without prejudice.

1. The Baseball Club is willing to definitely commit itself to you in writing to the effect that it has no intention to occupy the Municipal Stadium for playing its International Baseball games for a period longer than that occasioned by the present war and war conditions.

2. The Baseball Club will definitely agree that it will in no event play night games on more than three consecutive nights, and in order to accomplish this it will play the game on the fourth day at six o'clock P. M. Night games will be started promptly at 8:30, and in no event will continue longer than 11:15. As explained to you, most games, in accordance with our experience, are terminated in two hours, and very few games last as long as 2½ hours. We will request the League President to instruct the umpires to expedite these games as much as possible.

3. The Baseball Club will do all in its power to reduce the volume of sound from the loud speakers. We will place the loud speakers in a way to minimize the sound and will limit their use as much as possible.

4. The Baseball Club will do everything reasonably possible within its power to have the Police Department of Baltimore City furnish more police protection in the vicinity of the Stadium.

5. The Baseball Club will do everything reasonably possible within its power to petition the Board of Park Commissioners to take appropriate steps to control the dust from the parking lots which is complained of. In this connection we have been discussing this matter with the Board of Park Commissioners. At present that Board has no sprinkler, but they have learned of a sprinkler which they hope to be able to purchase and repair, so that it can be used by them each day to sprinkle this parking lot.

We are very desirous that our temporary use of the Municipal Stadium shall be at as small inconvenience as possible to those persons who live in its vicinity, and believe that the commitments above set forth, particularly the one with respect to our temporary use of the Stadium, should go a long way toward relieving the fears of your clients.

Very truly yours,

BALTIMORE BASEBALL &  
EXHIBITION CO.

By: G. W. REED,

President.

JKB, JR:ALR

PLAINTIFF'S EXHIBIT NO. 22

(Filed in Open Court)

C O P Y

MARBURY, GOSNELL & WILLIAMS  
Maryland Trust Building  
Baltimore 2, Maryland

May 1, 1945

5-C

Mr. George W. Reed  
c/o National Marine Bank  
Gay and Water Streets  
Baltimore, Md.

Re: Use of Municipal Stadium  
by Baltimore Baseball &  
Exhibition Company

Dear Mr. Reed:

Since receipt of your letter of April 10, 1945, I have on several occasions discussed its contents with members of the Stadium Neighborhood Protest Committee.

In view of our several conferences with you, it is, of course, unnecessary for me to repeat the numerous inconveniences and burdensome situations which the residents tolerated at great personal sacrifice during the latter part of last summer.

On behalf of the Stadium Neighborhood Protest Committee I have been requested to advise you that this Committee believes that the use of the Stadium by the Baseball Club is unlawful and constitutes a nuisance detrimental to the health and welfare of the residents of the neighborhood, and that the Committee cannot agree to accept your proposals as they will not eliminate these conditions. Consequently, the Committee must reserve all its legal rights against the Baltimore Baseball Club and the Board of Park Commissioners. We trust that

2—EXHIBITS—(BARTLETT, POE & CLAGGETT)  
you will put into effect all possible measures to alleviate the situation. However, even though you may voluntarily put into effect the proposals contained in your letters of April 10, 1945, and such other measures as you may deem feasible, the Committee must necessarily reserve the right to take such steps as it may deem expedient to protect the rights and interests of the neighborhood at any time when in its judgment such action is necessary.

Very truly yours,

CHARLES C. G. EVANS,

cc—Mr. E. Stuart Windsor

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PLAINTIFF'S EXHIBIT NO. 23

(Filed in Open Court)

C O P Y

BALTIMORE BASEBALL & EXHIBITION CO  
Baltimore Stadium  
Baltimore 18, Maryland

May 2, 1948

Mr. Charles C. G. Evans  
1000 Maryland Trust Bldg.  
Baltimore 2, Maryland

Dear Mr. Evans:

In re: Use of Municipal Stadium by Baltimore  
Baseball & Exhibition Company

I have your letter of May 1 in response to my letter of April 10 regarding the concessions made in the playing schedule and other matters with respect to the use of the Stadium by the Baltimore Orioles.

Regardless of the fact that the Committee has refused to accept our proposals, the ball club intends to do exactly as was outlined in my letter of April 10, believing that you will find that that program will work out even better than you suspect.

The only slight amendment to my letter that I find it necessary to make is that in observing the closing time of 11:15 I must advise you that according to baseball rules we cannot stop play in the middle of an inning. Should an inning therefore be in progress at 11:15, it will have to be completed but this will hardly make more than 5 or 10 minutes' difference at the outside. I have already given instructions that no innings are to be started after 11:15 and this has been observed and will continue to be observed for the balance of the season.

I might state, however, that should any legal action be taken against the Club with respect to their playing at the Stadium, we would, of course, feel relieved from carrying out the terms of my letter of April 10 from that time on.

It is my very honest desire that the season be carried through without too much inconvenience to your clients.

Very truly yours,

(sgd.) G. W. REED,

President,

GWR/g

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PLAINTIFF'S EXHIBIT NO. 24

(Filed in Open Court)

C O P Y

WILMER H. DRIVER  
819-20 Fidelity Building  
Baltimore

September 29, 1947

J. Kemp Bartlett, Esq.  
34 U. S. F. & G. Building  
Baltimore 2, Maryland

Dear Mr. Bartlett:

The Stadium Neighborhood Committee, through its chairman, Mr. Harry Y. Wright, has consulted me with reference to the objection, by the residents of the area, to the further use and occupancy of the Baltimore Stadium by the Baltimore Baseball and Exhibition Company. I have familiarized myself with the correspondence had between yourself, Mr. Reed and Charles C. G. Evans, Esquire, former counsel for the Committee, and believe that I am acquainted with the problems involved.

It appears that the initial use of the Stadium by the Orioles began at the time Oriole Park was destroyed by fire. Like all citizens of Baltimore a loss of such proportion, occurring in the middle of the playing season, was understood and appreciated, and the members of the organization represented by the Committee were no exception. However, it soon appeared that the use of the Stadium by the baseball club created unforeseen problems which infringed upon the legal rights of the residents of the area surrounding the Stadium, with the result that formal protests were made and some promise of relief was granted. It further appears that the residents were assured that the use and occupancy of the Stadium by the baseball club was only temporary in character and because of a desire to cooperate, the matter has been permitted to be held in abeyance, with a full reservation of all legal rights.

Recently the Committee has received information indicating that the Baltimore Baseball and Exhibition Company has no intention of rebuilding Oriole Park or locating anywhere other than the Baltimore Stadium. If this is so, it is directly contrary to the assurances given the Committee or prior occasions. I believe that the present agreement between The Board of Park Commissioners of Baltimore City and The Baltimore Baseball and Exhibition Company expires December 31, 1947. In order that the matter may be made abundantly clear, I would appreciate for you to let me know whether or not the club intends to seek renewal of an agreement permitting the use and occupancy of the Stadium during the 1948 season.

Very truly yours,

WILMER H. DRIVER

WHD/fmw

3—EXHIBITS—(BARTLETT, POE & CLAGGETT)

PLAINTIFF'S EXHIBIT NO. 25

C O P Y

BARTLETT, POE & CLAGGETT  
Baltimore 2, Maryland

September 30, 1947

Wilmer H. Driver, Esq.  
819 Fidelity Building  
Baltimore 1, Maryland

Dear Mr. Driver:

I have received your letter of September 29th, and in answer to the question which you ask, I desire to state that the Baltimore Baseball and Exhibition Company does intend to seek a renewal of its license to use the Baltimore Stadium for the coming 1948 baseball season.

Although you do not say so in your letter, I assume that the Stadium Neighborhood Committee has employed you to bring some proceeding in reference to this matter, and I shall be very glad to confer with you at any time that suits your convenience. I am leaving Baltimore tomorrow for a short vacation, but will return on October 14th. If the matter of your clients is pressing,

I suggest that you confer with Mr. George W. Reed, President of the Baltimore Baseball and Exhibition Company.

Very truly yours,

(Signed) J. KEMP BARTLETT, JR.

JKB, JR:ALR

PLAINTIFF'S EXHIBIT NO. 26

(Filed in Open Court)

C O P Y

819-20 Fidelity Building  
Baltimore

October 7, 1947

J. Kemp Bartlett, Jr., Esq.  
Bartlett, Poe and Claggett  
S. W. Corner Calvert and Reedwood Sts.  
Baltimore 2, Maryland

Dear Mr. Bartlett:

Thank you for your letter of September 30, 1947. While I appreciate your frankness in discussing the present intention of the Baltimore Baseball and Exhibition Company to seek a renewal of its agreement with the Department of Recreation and Parks for the year 1948, I had hoped that your reply would not necessarily have been limited to the coming season, but would have disclosed the attitude of the Company for the future. As stated in my letter of September 29, 1947, the Stadium Neighborhood Committee has received information indicating that the Company intends to make the Baltimore Stadium its permanent home, provided the application is met with favor by the City authorities. This information is very disturbing to the people I represent for the reason that they have relied upon official assurances from representatives of the Company and the City that the use of the Stadium was temporary and would continue only for such limited time as might be reasonably necessary to allow the construction of a new baseball park elsewhere. Therefore, I would appreciate it for you to advise me with respect to this aspect of the matter.

While this is urgent, I feel that there is no necessity for me to see Mr. Reed, but will await your return to the city.

Very truly yours,

WILMER H. DRIVER

WHD/fmw

PLAINTIFF'S EXHIBIT NO. 27

(Filed in Open Court)

C O P Y

BARTLETT, POE & CLAGGETT  
Baltimore 2, Maryland

October 16, 1947

Wilmer H. Driver, Esq.  
819 Fidelity Building  
Baltimore 1, Maryland

Dear Mr. Driver:

I have received your letter of October 7th.

You only asked me to let you know whether or not the Club intends to seek a renewal of an agreement permitting the use and occupancy of the Stadium during the 1948 season; and so accordingly I answered only that question.

With respect to the attitude of the Club for the future, you will, of course, understand that it is difficult for me to make a definite statement about this. There is no doubt in my mind that after the fire at Oriole Park, we moved into the Stadium with no intention of remaining there permanently, but with the distinct intention of rebuilding, either on the 29th Street property or on some suitable site that we might acquire. The war was on; materials were not obtainable, and we looked at many sites which, for one reason or another, were not suitable or not obtainable.

In my opinion, and I believe this is shared by others, Baltimore is an American city large enough and important enough to have a suitable, convenient and comfortable ball park. No team in a minor league that I know of owns the kind of park that Baltimore should have, and where a suitable park exists in minor league cities, as far as I have been able to ascertain, they were constructed by the municipality and leased to the ball club. As you know, there is now a movement in Baltimore for the erection of a stadium on 33rd Street or some other place. If such a stadium is erected, we hope and expect to be given an opportunity to negotiate an agreement for the playing of our games there.

As far as I can definitely tell you, that is the attitude of the Club for the future.

Very truly yours,

J. KEMP BARTLETT, JR.

JKB, JR:ALR

## 4-EXHIBITS-(BARTLETT, POE &amp; CLAGGETT)

## PLAINTIFF'S EXHIBIT NO. 28

(Filed in Open Court)

## C O P Y

WILMER H. DRIVER  
819-20 Fidelity Building  
Baltimore

October 7, 1947

Mr. R. Brooke Maxwell  
Department of Recreation and Parks  
Druid Hill Park  
Baltimore 17, Maryland

Dear Sir:

The Stadium Neighborhood Committee, through its chairman, Mr. Harry Y. Wright, has consulted me with reference to the objection, by the residents of the area, to the further use and occupancy of the Baltimore Stadium by the Baltimore Baseball and Exhibition Company.

While the use of the Stadium was made available to the baseball club as a temporary measure by the proper officials of the City, it now appears that the Club intends to make it their permanent headquarters. Information to this effect has come to the attention of the Committee, and because it is contrary to former assurances given my client by officials of the City and of the Baltimore Baseball and Exhibition Company, I wrote to J. Kemp Bartlett, Jr., Esquire, attorney for the Company, on September 29, 1947, requesting that he advise me of his client's intentions. On September 30, 1947, Mr. Bartlett replied to my letter, stating that his client intends to seek renewal of the present agreement for the 1948 season. Because of the assurances given and the reliance thereon, we are quite concerned with this recently expressed attitude. I, therefore, will appreciate it for you to advise whether such an application by the Baltimore Baseball and Exhibition Company will be looked upon with favor by the Department of Recreation and Parks.

You may be sure that your prompt reply will be greatly appreciated.

Very truly yours,

WILMER H. DRIVER

WHD/fmw

## PLAINTIFF'S EXHIBIT NO. 29

## C O P Y

DEPARTMENT OF RECREATION AND PARKS  
Bureau of Parks  
Baltimore 17, Maryland

October 20, 1947

Mr. Wilmer H. Driver  
819 Fidelity Building  
Baltimore 1, Maryland

Dear Mr. Driver:

On the question relative to the use of the Baltimore Stadium by the "Orioles" for the 1948 baseball season, the Board of Recreation and Parks, at its meeting on October 7, 1947, made the following decision.

The Board of Recreation and Parks agrees to allow the Baltimore Baseball and Exhibition Company the Baltimore Stadium for the 1948 baseball season, provided the Company enters into a written agreement that it is acceptable and agreeable to the Board of Recreation and Parks.

Very truly yours,

JOSEPH J. KING,

Secretary.

JJK-L

Copy to—Mr. Robert Garrett

Mr. R. Brooke Maxwell

Mr. C. A. Hook

## DEFENDANTS' EXHIBIT NO. 9

EARNINGS AND DISBURSEMENTS FROM  
BALTIMORE STADIUM

Year	Stadium Earnings	Receipts from Orioles	Expenses	Capital Expenditures
1922	\$ 13,602.12			\$209,323.41
1923	26,003.07		\$ 800.00	
1924	43,733.07		19,504.12	
1925	5,046.63		15,728.30	*365,386.90
1926	6,138.98		13,755.26	
1927	6,085.90		35,141.21	
1928	5,581.56		43,920.89	
1929	8,984.84		53,306.33	
1930	14,430.92		40,592.42	
1931	7,624.32		32,416.04	
1932	1,829.87		9,173.26	
1933	5,953.93		26,365.92	
1934	1,590.08		10,466.85	
1935	7,566.68		13,871.64	*94,428.75
1936	11,343.26		50,923.42	
1937	6,745.11		33,419.43	
1938	8,218.73		35,490.31	
1939	19,314.38		49,646.77	
1940	11,461.57		46,872.83	60,954.32
1941	22,711.07		61,481.08	758.40
1942	32,706.09		38,486.10	
1943	29,265.93		37,639.82	
1944	91,259.56	53,133.89	60,639.14	
1945	88,896.39	44,493.89	76,375.15	25,844.00
1946	141,829.52	104,360.06	145,312.46	4,490.10
1947	123,190.51	48,677.87	59,253.52	16,343.29
Totals	\$741,274.09	\$250,674.71	\$1,010,742.27	\$777,520.26

\* The Capital Expenditures in 1925 include improvements in 1923, 1924, and 1925. Capital Expenditures in 1935 is the total cost between 1925 and 1935.

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IN THE  
**Court of Appeals of Maryland**

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OCTOBER TERM, 1948

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**No. 58**

---

FREDERICK E. GREEN and MINNIE C. GREEN,  
his wife, et al.,

*Appellants,*

vs.

ROBERT GARRETT, et al., Pres. Dept. of Recreation  
and Parks of Baltimore City;  
BALTIMORE BASEBALL & EXHIBITION COMPANY;  
INTERNATIONAL LEAGUE OF PROFESSIONAL  
BASEBALL CLUBS,

*Appellees.*

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APPEAL FROM THE CIRCUIT COURT NO. 2 OF BALTIMORE CITY  
(MASON, J.)

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**APPELLEES' APPENDIX**

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THOMAS N. BIDDISON,  
EDWIN HARLAN,  
JOHN J. GHINGHER, JR.,  
J. KEMP BARTLETT, JR.,  
ROBERT D. BARTLETT,  
EBEN J. D. CROSS,  
Attorneys for Appellees.

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The Daily Record Co., Baltimore 3, Md.

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IN THE  
**Court of Appeals of Maryland**

OCTOBER TERM, 1948

**No. 58**

FREDERICK E. GREEN and MINNIE C. GREEN,  
his wife, et al.,

*Appellants,*

vs.

ROBERT GARRETT, et al., Pres. Dept. of Recreation  
and Parks of Baltimore City;  
BALTIMORE BASEBALL & EXHIBITION COMPANY;  
INTERNATIONAL LEAGUE OF PROFESSIONAL  
BASEBALL CLUBS,

*Appellees.*

APPEAL FROM THE CIRCUIT COURT NO. 2 OF BALTIMORE CITY  
(MASON, J.)

**APPELLEES' APPENDIX**

(Tr. p. 10):

HARRY Y. WRIGHT,

a witness of lawful age, produced on behalf of the plain-  
tiffs, testified as follows:

\* \* \* \* \*  
CROSS-EXAMINATION

By Mr. Biddison:

\* \* \* \* \*

(Tr. pp. 60-62):

Q. Do you have any value that you yourself would  
place on your home as of now? A. I haven't given it  
any thought. I would get a real estate man to determine  
that.

Q. Have there been any occasions when you your-  
self have made formal complaints to the Police Depart-  
ment as to any of these situations that you have described  
to the Court? A. One evening I roamed all over the  
neighborhood trying to find a policeman to correct a  
condition which existed directly in front of my home.  
There was a huge moving van, so-called, with Drive-It-  
Yourself label on the side, parked directly in front of  
my home about two feet from the curb, blocking the  
traffic north and south bound because there were cars  
parked all along the opposite side. I went up as far  
as the Stadium and talked with a policeman inside the  
Stadium to try to get someone to come down and take  
that truck away, not particularly because it was in front  
of my property, but because it was illegally parked. I  
assumed at the time that this truck had probably brought  
twenty or thirty people. It was after I arrived home,  
after the game started. When the game was over one  
man came down and got in that truck and drove it away.

Q. Did you make any other complaints to the Police  
Department? A. I personally have made no complaints,  
no other complaints.

Q. When was it that you are referring to about this  
one truck parked in front of your house? A. That was  
in the season of 1946, if I am not mistaken.

\* \* \* \* \*

By Mr. Cross:

\* \* \* \* \*

(Tr. p. 86):

Q. Since you have purchased your house and since  
these matters have come to your attention, have you  
ever notified the Police Department direct, instead of  
wandering around looking for a policeman here and  
there? A. Our protests—

Q. Have you or not? A. Personally I have not. I have  
written to our City Councilman but not to the Police  
Department.

\* \* \* \* \*

(Tr. p. 133):

HERMAN C. CRUEGER,

a witness of lawful age, produced on behalf of the plain-  
tiffs, testified as follows:

CROSS-EXAMINATION

\* \* \* \* \*

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 158):

Q. Isn't it true that some people who live in the neigh-  
borhood want crowds there? A. We would like to have  
it just as it was before the Orioles moved in.

Q. In other words, you don't want a more intensive  
use of it? A. We want the park like effect we had before.

Q. And you don't mind the continuing cost of the  
Stadium to the City each year? A. I am not interested  
in that. I am not a politician or financier. I don't know  
anything about that.

\* \* \* \* \*

(Tr. p. 164):

LEE STAPLES,

a witness of lawful age, produced on behalf of the plain-  
tiffs, was examined and testified as follows:

\* \* \* \* \*

CROSS-EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. pp. 184-185):

Q. Has anyone offered to buy your property, is that  
what I understand by the conversations you have had?  
A. No particular individual has offered to buy it.

Q. Have you been offered a price for it within the last  
year? A. Never carried the conversation that far, we  
simply said we are not interested.

\* \* \* \* \*

(Tr. p. 199):

INSPECTOR JOSEPH A. ITZEL,

a witness of lawful age, produced on behalf of the plaintiffs, testified as follows:

\* \* \* \* \*

CROSS-EXAMINATION

By Mr. Biddison:

\* \* \* \* \*

(Tr. p. 207):

Q. How many men outside of the Stadium during 1947 baseball season were arrested by the Police Department, in your Northeastern District, for creating disturbances? A. I could not answer that without the record.

Q. During a baseball game? A. I could not answer that.

\* \* \* \* \*

(Tr. p. 208):

Q. Do you have any person in the Police Department working under you as head of the Stadium detail? A. Captain Koch of the Northeastern District.

Q. Does Captain Koch designate anyone of his men that you are aware of? Do you know whether or not, for instance, Lieutenant Gribben has had charge of the Stadium section? A. Sometimes yes and sometimes no. He might take another Lieutenant and place him in charge of it.

\* \* \* \* \*

(Tr. pp. 210-211):

Q. With regard to the noise at the Stadium, with these prep school games on Friday night, do they make as much noise as baseball games? A. They probably do.

Q. As a matter of fact, don't they make more noise? A. I wouldn't say more noise.

Q. You would say they make as much? A. Probably they do but they are not as frequent.

\* \* \* \* \*

CROSS-EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. pp. 217-227):

Q. Now, Inspector Itzel, you are a high official of the Police Department, are you not? A. Yes, sir.

Q. And an officer of the State of Maryland? A. Yes, sir.

Q. I understand from your testimony that the Eastern Police District, the Northeastern and the Northern are under your particular command? A. That's right.

Q. And you have control over the Captains of each of these districts? A. Yes, sir.

Q. And the men under them? A. Yes, sir.

Q. How large a force of men is it that you command? A. Usually we average about 200 men in a district.

Q. So that is about 600 men? A. Yes, sir.

Q. You have one superior and that is the Commissioner, is it not? A. And the chief inspector.

Q. Commissioner and Chief Inspector? A. That's right.

Q. Then you are third in command, would you say? A. Yes, third in command, but there are a number of other inspectors.

Q. Your responsibilities are those three districts? A. Yes, sir.

Q. Is it your duty to control those districts for traffic as well as for crime? A. No, sir. Traffic comes under the traffic division and engineering division.

Q. And you, as inspector of those three districts, have nothing to do with traffic? A. No, sir.

Q. It is a fact, is it not, that you and the officer in charge of the traffic around the Stadium have been in disagreement as to how it should be run? A. No, sir.

Q. Are you in complete accord about it? A. Yes, sir.

Q. Who is that gentleman? A. Captain Kaste.

Q. And he and you are in agreement as to how traffic should be regulated? A. I would have to be in agreement because I don't know anything about the traffic situation, any more than the ordinary citizen would know.

Q. The regulation of traffic comes under Captain Kaste? A. That is correct.

Q. And that is a police problem, is it not? A. Yes, sir.

Q. Exclusively a police problem? A. Well, it is a part of the police organization, I would say.

Q. And the Board of Public Parks and Recreation has nothing to do with traffic on the streets of Baltimore, have they? A. No, sir.

Q. And that applies to the area in the vicinity of the Stadium? A. That is correct.

Q. And, of course, you and I can agree that the management of the Oriole Baseball team has nothing to do with the traffic?

(Mr. Driver) I object to that.

Q. Let me ask you this. Have they anything to do with traffic?

(Question objected to; objection overruled.)

A. No, sir. They wouldn't have anything to do with traffic.

Q. And they would interfere with traffic if they attempted to have anything to do with it, is that right?

(Question objected to; objection overruled.)

A. That's right.

Q. I want to talk about those parking lots that are to the east and west of the Stadium. They were there when the Stadium was built or they were laid out there at that time, were they not? A. Yes, sir.

Q. And they were laid out for parking lots? A. That's right.

Q. And at every event that has been held at the Stadium, people who come in automobiles can park there? A. Yes, sir.

Q. Does the Traffic Division of the Police Department have anything to do with the parking that is made on those lots? A. The Park Board or Department of Recreation would have charge of that. It is a Stadium problem.

Q. Inspector, I have seen a squad car in some of those streets to the west of that parking lot. Do the officers in that have anything to do with the parking on the parking lots? A. No, sir.

Q. But they do regulate and control parking on the city streets? A. That's right.

Q. And in the alleys? A. Yes, sir.

Q. There has been some testimony about "no parking" signs put up around the Stadium and around the alleys. Was that done by a Captain of one of your districts? A. No, by the Captain of the traffic division.

Q. Is he under your orders? A. No, sir. He comes under the Chief Inspector.

Q. We have talked about the regulation of traffic on the streets and parking on the parking lots and parking in alleys and streets, you say, is regulated and controlled by the Traffic Division of the Police Department? A. That's right.

Q. What about boisterous conduct of people walking on the streets? Has the police any regulation over them? A. Naturally so; yes, sir.

Q. That is one of the fundamental jobs of policing a city, isn't it? A. That's right.

Q. And you have been a police officer for how long? A. Thirty-six years.

Q. In Baltimore City? A. Yes, sir.

Q. And in the Police Department of Baltimore City? A. Yes, sir.

Q. Of course, the police are used to coping with such situations, are they not? A. Yes, sir.

Q. Do you have other situations in other districts where the streets have to be patrolled for boisterous people? A. You could not compare any other street with the vicinity of the Stadium ordinarily unless there is some big event going on.

Q. Well, that is a province of the Police Department, is it not? A. That's right.

Q. And exclusively so? A. That's right.

Q. And the members of the Park Board or the Department of Public Recreation and Parks have nothing to do with that, have they? A. No, only on the Stadium property. They control that.

Q. How about the management of the Oriole baseball team? A. They don't have anything to do with that.

Q. So the noise you complained about in Court with respect to nuisances in your alley and parking in your alley are things you have control over and not my clients'; isn't that correct? A. That is correct, but those conditions are created by the baseball games in the Stadium.

Q. Well, you say that and the witnesses who testified before say that. I suppose anything that brings a large assemblage of people together will create a problem for the police, will it not? A. It does, but very infrequently. I mean the way it was before 1944 quite infrequently.

Q. Wasn't old Oriole Park in your district? A. No, sir.

Q. Wasn't that in the Northern District? A. I wasn't Inspector at that time.

Q. But there were problems out there, were there not? A. Yes, sir.

Q. And they were handled by the police? A. Yes.

Q. Properly handled? A. Yes, sir.

Q. And the police can properly handle the problem around the Stadium, can't they? A. That depends. If we have enough men there. Ofttimes it is necessary to call for more men to handle different situations.

Q. You have 600 men that will answer to your call? A. Yes, sir.

Q. Of course, you have to leave men in their various districts? A. That's right.

Q. But you can through some system call on men from other districts, can you not? A. Yes, sir. The average detail at the Stadium would be a minimum of 25 men—the best way to put it is from 8 to 80 men. In big events we call ten men from each district. In smaller events we call according to the size of the crowd that might be expected to attend.

Q. How many men do you use in the Stadium section for football games and how many do you use for baseball games? A. Football games, take the navy game, we have anywhere from 80 to 100 men.

Q. Take an average baseball game, where you would expect 6,000 people to attend? A. The minimum would be 25 men at the Stadium. We never can anticipate how much of a crowd there is going to be.

Q. Does that include traffic men? A. Yes, sir.

Q. When you gave the figure 80 to 100, that included traffic men too? A. Yes, sir.

Q. Am I wrong in assuming that the more men you have the better things are controlled? A. I would say so; yes, sir.

Q. Would you say I was wrong or right? A. You are right.

\* \* \* \* \*

(Tr. pp. 227-234):

Q. You were in Court yesterday? A. Part of the time; yes, sir.

Q. Did you hear Mr. Wright's testimony about a truck that parked two feet away from the curb and he roamed the streets to find an officer to give him a ticket? A. No, I didn't recall that, whether I was here or not.

Q. He said that a truck parked in front of his house two feet away from the curb, which I assume is a violation of the parking laws, and he asked for a policeman to come and tag it. Would you say that was a serious problem, policing problem? A. Two feet away from the curb, yes, sir, with a congested section there, and a big event like a baseball game in the Stadium, it is serious enough to cause a complaint.

Q. You have your men stationed or patrolling to do just that, do you not? A. Anything in the police line. That is part of their duties too.

Q. You don't tell Judge Mason that the police don't perform their duties, do you? A. No, sir.

Q. Then you do say they perform their duties out there properly? A. Yes, sir.

Q. Inspector Itzel, I was surprised that you had no record of arrests made there. Do they come to your attention when arrests are made? A. They do in a sense. That is, arrests are filed alphabetically. Every person who is arrested the name is taken from the police docket and copied on a card and those cards are filed at headquarters alphabetically. There is no way in the world to tell who was arrested at the Stadium unless you went through all of the arrest cards during the year.

Q. If I knew his name I could go to your card index and pick it out and find it? A. Yes, sir.

Q. Isn't there some other report that you get? Don't you get a daily report from the Captains of the stations of arrests made in their districts that night before? A. Yes, sir, but there is no record made of it other than filing it away.

Q. But it comes to you each morning? A. Yes.

Q. In your thirty some years of policing, would you notice any unusual number? A. Quite so.

Q. And have you noticed that? A. I would say no, not an unusual amount.

Q. You know Lieutenant Gribben, do you not? A. Yes, sir.

Q. Does he have access of the records in arrests? A. In a district.

Q. And is he in this district where the Stadium is? A. Northeastern. He is in the Annex. Those cards would not come under his supervision, they come under the supervision of the commanding officer.

Q. If he prepared a record of the arrests made each year in the summer at the Stadium, would you say that would be a proper record? A. It depends on where he got that record. If he got the record from a docket as he went along yes; but it would be a question of where he received the record how to compile it, what source of information he had.

Q. But you have never had that record compiled for any purpose, have you? A. No, sir. I don't think there is any record like that in the Police Department.

Q. And you did not think it was necessary to have such a record compiled for use in your testimony in this case? A. I did not give it a thought.

Q. Don't you know, Inspector, that there are very few arrests for law violations around the Stadium area in the summer time? A. I said that, sir. Not very few but there aren't any.

Q. And that there are more for football games than there are for baseball games? A. I would not say that, sir. There are no more for football than there are for baseball.

Q. You think they are about the same? A. Probably so.

Q. Football games attract larger crowds, don't they? A. Yes, sir.

Q. And present bigger police problems to you? A. Yes, sir.

Q. Do I understand you to say you saw the law violated in the alley to the rear of your house? A. No, sir; I did not say that.

Q. You have authority to arrest for any violation of law committed in your presence? A. Yes, sir.

Q. And you would arrest for it? A. Yes, sir.

Q. What is the Court to understand from your statement that you have seen cars parked long after the game was over? A. Parking was permitted on my street on 36th Street, on the north side west of Ellerslie Avenue up to Old York Road, and my house is directly opposite the 10-foot alley on the south side of the street, that is the alley on the south side of the street, and I seldom leave my own car in front of the house because lots of people use that alley to make a turn. If they want to go east they go to that alley and turn around, if they are headed west, and frequently there is danger of bumping into my car and I keep it away from there as much as possible. As long as parking was permitted on the north side of the street, no matter what time of the day or night, I had to go out, depending on how I was working, a departmental car could never park in front of the house and I had to walk to the corner or walk down to the alley at the other end of the block because my car was in danger of being mashed at that location in front of my house, and as the result of that, I spoke to Captain Kaste to prevent parking on the north side, and two factors were involved there. One as I just related, and another the danger of accidents there—I might say three factors. The third and important factor, when the Stadium left out 36th Street was quite an important artery to get away, that is, westbound, and there was danger of accidents by people leaving the Stadium, with any speed at all to get to their homes. I talked it over with Captain Kaste and he prohibited parking on both sides, which makes it very easy for traffic to move westbound when the affair is over at the Stadium.

Q. So now it is unlawful for anyone to park on either side of the Street? A. Yes, sir.

(The Court) Now, read the question, Mr. Coetz.

Question read by the reporter.

A. I will answer that. When parking was permitted there on a number of occasions the cars stayed there and people would not drive away and they would come back around twelve or one o'clock or as late as two o'clock and there would be loud talking and sometimes profanity used, and then they would get in the car and drive away.



Q. It was permissible to park there at that time and you assumed those persons went to the York Road and went to some tavern and were drinking and then came back after two o'clock? A. Yes, sir.

Q. Didn't you also assume they were patrons of the baseball game? You didn't know who they were? A. I assumed that, but I don't know who they were.

\* \* \* \* \*

(Tr. pp. 234-240):

CROSS EXAMINATION (Resumed)

By Mr. Biddison:

Q. Inspector, do you know of these twenty-five men you say the Police Department assigns to the Stadium on an average baseball night, do you know how many of these men will be traffic men? A. Not more than ten.

Q. So your statement, then, is that fifteen other people are assigned outside of the Stadium on a baseball night? A. No, those policemen are in the Stadium.

Q. I am asking how many of those fifteen men are inside the Stadium? A. How many what?

Q. How many of the remaining fifteen patrolmen inside of the Stadium? A. How many do what? We have two men at the gate.

Q. How many do their work and are assigned inside of the Stadium? You say there are twenty-five men assigned there? A. Ten traffic on the outside.

Q. How many patrolmen on the inside? A. Approximately fifteen.

Q. How many outside, then, in the whole Stadium area? A. Ten.

Q. Ten traffic? A. Ten traffic.

Q. So the Police department does not assign any foot patrolmen in that neighborhood outside of the Stadium to prevent nuisances and to keep orderly conduct? A. If there is a misdemeanor or anything done in the presence of an officer, whether he is a traffic man or not does not make any difference.

Q. But your traffic men are essentially at the intersections in the streets directing traffic? A. Yes.

Q. So other than the two men in front of the Stadium, you don't assign any policemen in the neighborhood outside other than the traffic men, with patrol duties to preserve peace and prevent nuisances? A. Other than the radio cars we don't, we don't have that many to spare.

Q. You have one radio car only? A. That's right.

CROSS EXAMINATION

By Mr. Cross:

Q. You have eighty men to care for football games? A. Any big event we have eighty men.

Q. Don't you call a baseball game a big event? A. If you have fifty thousand or sixty thousand people, yes, then we have that many men there.

Q. It has been testified here it was not the number of people in attendance of which they complain, that sometimes when they had a few people in attendance they have had just as much annoyance probably as if they had a lot of people in attendance. You are in the Police Department, you have had experience. Is that true or not? A. I would say there would be more trouble with a larger crowd than with a small crowd.

Q. Is that why you vary from eighty members of the Police Department at a football game down to twenty-five at a baseball game? A. That is one of the controlling factors. It is a smaller crowd and we need less men.

Q. Your testimony seems to be to the contrary, you have more disturbances when you have a baseball game than when you have a football game. With that in your mind, couldn't you revise that upward a little bit? A. I would say no.

Q. Why not? A. I couldn't answer why not, but it appears we have had more trouble since 1944, since baseball has been over there.

Q. Is there anybody better equipped to answer than you, Inspector? A. I don't think so.

Q. And you have not given the answer. A. I say no, we have less trouble at a football game.

Q. Have you ever tried using the same number of patrolmen at a baseball game as you have had at football games? A. Repeat that question again.

(Question read by the reporter.)

A. If the crowd does not require that many men, we don't put them there.

Q. You are only thinking of the crowd attending the game? A. Exactly, sir. If there are seventy-five thousand people in the Stadium, we need more patrolmen and officers to handle that situation than we would with ten thousand.

Q. How about the number of residents in the neighborhood, they don't change with the attendance at the games, do they? A. They don't change what?

Q. In number? A. No, they don't.

Q. And you still have the same number of people living in the neighborhood irrespective of what type of game is being played, haven't you? A. That's right.

Q. Haven't you got a duty to the people in the community to see that the police regulations are enforced, irrespective of what game is being played? A. That situation is handled by the regular patrolmen working those posts.

Q. You are a seasoned member of the Police Department. I am asking if that isn't a function of the Department of which you are a member? A. I answered that by saying that situation is taken care of, the guarding of the homes and general supervision of the locality, is taken care of by the regular postmen who are assigned to the Stadium.

Q. And you think the policing problem is adequately taken care of during baseball games, so far as the neighborhood is concerned, do you, Inspector? A. Yes, sir.

\* \* \* \* \*

(Tr. p. 240):

MRS. WILLIAM P. HERON,

a witness produced on behalf of the plaintiffs testified as follows:

CROSS EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. pp. 250-252):

Q. How many times have you seen liquor bottles, empty liquor bottles and trash on your lawn? A. I couldn't tell you how many. Not very many times. I have also seen intoxicated people lying in the street.

Q. In front of your home? A. At the corner of my home. On two occasions, on Sunday when I came from church there was an intoxicated man on two separate occasions lying on the curb.

Q. Had they been to the ball game, do you know? A. It was before the ball game.

Q. Did you ever make any formal complaints to the police? A. No. I wrote to the Mayor twice.

Q. Did you ever complain to the Police Department? A. Not about intoxicating people; no.

Q. Well, about throwing trash on the lawn? A. No, I did not.

Q. About the parking situation? A. We had to do that when they were fixing the alley, when they were paving that. My husband had to go out on several occasions when there were games and he came home before the games were over and he had to park the car three or four blocks away from our home and wait until the ball games were over and the traffic had disappeared and dispersed, then go and get our car and put it in front of our home. We called the police about that and they said they were sorry, there was nothing they could do about it, that was an emergency because paving was going on.

Q. Is that the only complaint you have had in regard to parking? A. That is the only one we have ever made.

Q. What Mayor did you go to? A. Mayor McKeldin.

Q. When was that? A. I don't remember. It was when he was in office. It was during the gasoline shortage because we came from church on a bus and when we got off the bus, the drunk was lying on the curb.

\* \* \* \* \*

(Tr. p. 261):

DOCTOR J. W. GUYTON,

a witness produced on behalf of the plaintiffs testified as follows:

(Tr. p. 268):

CROSS EXAMINATION

\* \* \* \* \*

(Tr. p. 268):

Q. Have you any knowledge of what it [your house] is worth? A. I have no knowledge. I have had real estate men call me and I answered I am not interested.

\* \* \* \* \*

(Tr. pp. 271-272):

Q. How about a boxing match? A. A boxing match was something terrific on the neighbors in the neighborhood, when they had a benefit. They parked every place. They parked on your lawn. 36th Street had "no parking" signs and the police paid no attention, and there were easily, I guess, thousands of violations of the parking laws.

\* \* \* \* \*

(Tr. p. 277):

CROSS EXAMINATION

By Mr. Robert Bartlett:

(Tr. p. 279):

Q. Are you familiar with the house next door to you, 1209? A. Very much so; yes, sir.

Q. Is that a house similar to yours in size and location? A. Yes, sir; sort of English type cottages.

Q. Do you know what that house sold for on June 1st, 1946? A. I wouldn't know exactly; no.

Q. Well, I did not mean to hold you down to the penny. Suppose I tell you it sold for \$18,500 in fee? A. If you have the record I would have to accept it.

Q. You paid \$8,850? A. Yes. Of course, no matter what kind of a house you own today it trebles in value.

\* \* \* \* \*

(Tr. p. 289):

RALPH ZWEIR,

a witness produced on behalf of the plaintiffs, testified as follows:

\* \* \* \* \*

(Tr. p. 298):

CROSS EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. pp. 300-302):

Q. You testified the most annoying noise is the loud speaker, is that correct? A. Yes, sir.

Q. That isn't on constantly, is it? A. That is continual.

Q. How far do you live from the Stadium? A. Right next door.

Q. How far? A. Well, there is only one house between me and Ednor Road and then the Stadium.

Q. In regard to this noise, do you mean to tell us or tell the Court that it interrupts normal conversation? A. It does at times, absolutely.

Q. But it doesn't go on continuously, does it? A. It is periodical. It is like all sporting events, there is a certain amount of hilarity which dies down and goes up again, depending on the progress of the game. I can't tell you exactly how it takes place, but it is continuous, up and down, quiet and loud.

Q. You mean you are not familiar enough with it to describe it? A. I am not in the Stadium to see the activity of the noises, this hilarity.

Q. How about the football games, does the loud speaker bother you on those occasions? A. The same thing.

Q. It does bother you? A. Yes, sir.

Q. At the football games the loud speaker is more continuous, isn't it, than the baseball games? A. Well, it may be. I am not comparing it.

Q. What bothers you most, the football loud speaker or the baseball loud speaker? A. The loud speaker at all times. I don't care what the reason is.

Q. What bothers you the most, the loud speaker at the football games or at the baseball games? A. I can't segregate them.

\* \* \* \* \*

(Tr. p. 313):

OTTO K. SMEAD,

a witness produced on behalf of the plaintiffs, testified as follows:

\* \* \* \* \*

# CROSS-EXAMINATION

\* \* \* \* \*

(Tr. pp. 328-329):

Q. I think you testified there would be ample room at the Stadium for the parking of cars at the average game of the Orioles during the past several years, if the people would use it; is that correct?

(Mr. Driver) He did not say that.

Q. Then I will ask you. A. I think that is a fair observation to make. It was my impression last year that the attendance was relatively poor. In fact, I went by the Stadium at various times when the games were in progress and I was surprised to see the relatively few cars. I mean speaking on a comparative basis, in that area, and yet find Windemere and Lakeside practically filled up with cars. In other words, people prefer to park on your streets rather than in the Stadium area.

Q. Since the 1944 season you have had no trouble getting in and out of your garage, have you? A. No, not actually. I have had a little trouble taking care of my son's car when he came from Richmond. I did not know what to do with it. It is a single garage.

\* \* \* \* \*

(Tr. pp. 492):

ROBERT GARRETT,

On behalf of the plaintiffs testified as follows:

# DIRECT EXAMINATION

\* \* \* \* \*

(Tr. p. 508):

(The Court) As I understand it, this is the action of the Board. It does not contain the debate or the questions that were asked. Is that correct, Mr. Garrett?

(The Witness) I beg your pardon?

(The Court) Isn't this the action of the Board that you just read?

(The Witness) The action of the Board with this preamble.

\* \* \* \* \*

(Tr. p. 508):

(The Court) Were they subsequently approved?

(The Witness) They were subsequently approved; yes.

\* \* \* \* \*

# CROSS-EXAMINATION

By Mr. Kemp Bartlett:

Q. Mr. Garrett, this meeting that Mr. Driver speaks of, he had asked to attend on behalf of his clients and oppose the making of an agreement for 1948 with the Orioles, is that correct? A. I so understood, yes.

Q. And he did attend and did make his opposition? A. Yes.

Q. And your Board considered it and voted five to one against his proposition not to lease to the Orioles for 1948? A. Yes.

Q. And that was before he brought this suit? A. Oh, yes. That was October 17th.

\* \* \* \* \*

(Tr. p. 511):

PAUL J. WILKINSON,

a witness produced on behalf of the plaintiffs, testified as follows:

(Tr. pp. 521-22):

\* \* \* \* \*

# CROSS-EXAMINATION

By Mr. J. Kemp Bartlett:

I will certainly admit that the Stadium has been used and the surrounding property has been used for athletic contests and for all kinds of athletic matters and endeavors. I don't feel I should express an opinion here as to what I think—you might establish a prescriptive right. I don't think I should establish that opinion. We came into the picture to examine about twenty deeds by which the Mayor and City Council acquired title to the property and I was asked to express my opinion, which I have expressed, in reference to the effect of them. I don't know of any case—there may be some but I have not had a chance to dig up any case just directly on this point. As I stated before, my entire opinion in reference to the dedication of this property for park purposes is based on the fact that it was purchased with funds of the Park Board, and as to the rights that the City may have acquired through prescription, I would not feel qualified to express an opinion.

\* \* \* \* \*

(Tr. p. 533):

GEORGE E. MCGOWAN,

a witness produced on behalf of the plaintiffs testified as follows:

\* \* \* \* \*

(Tr. pp. 536-537):

# CROSS-EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

Q. Is it our understanding that you want this Court to believe that the testing on Sundays goes on anywhere

8—BARTLETT, POE & CLAGGETT—No. 58  
from three seconds to sometimes five minutes bothers  
you? A. I believe the testimony I gave, if the Clerk will  
repeat it, was thirty seconds, not three seconds.

Q. Thirty seconds to five minutes, does that bother  
you? A. It doesn't particularly bother me, but it is  
there definitely as a noise.

Q. Does it particularly bother you? A. Personally?

Q. Yes. A. Sometimes and sometimes not. It depends  
upon what I might be doing at that time.

\* \* \* \* \*

(Tr. p. 541):

#### CROSS-EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. pp. 542-544):

Q. You are a Research Chemist with the Gas Com-  
pany? A. That's right.

Q. And you know something about electric appara-  
tuses? A. I have taught physics and chemistry for  
twelve years.

Q. You want the Court to believe that the public  
address system ought not to be tested before it is put  
into operation? A. I don't believe a public address  
system should be tested before being put in operation.

Q. If it could be tested in a way that is not bothersome  
to the neighbors, it ought to be tested, shouldn't it? A.  
It should be tested. I don't say I object to it being tested.  
I object to the noises it had created in the neighborhood.

Q. Why are you testifying about it being tested for  
a matter of thirty or thirty-five seconds or maybe five  
minutes, is that too long a test?

(The Court) How long was that?

(Mr. Bartlett) Thirty to forty-five seconds up to five  
minutes he said. A. I believe that is the usual amount  
of time that is needed at times to test any loud speaker.

Q. You don't really object to it being tested before  
it is put in operation, do you? A. No, I don't object to it  
being tested before it is being put in operation, if it is  
going to be put in operation at all.

Q. I suppose any public address system is manufac-  
tured and sold to be used, isn't it? A. Yes. I imagine  
it would be.

\* \* \* \* \*

(Tr. pp. 545-549):

JAMES V. KELLY,

a witness produced on behalf of the defendants testified  
as follows:

#### DIRECT EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. p. 552):

The Stadium was built in 1922. I was secretary of the  
Board at that time. William F. Broening was Mayor of  
Baltimore when the Stadium was built.

\* \* \* \* \*

(Tr. p. 555):

The batteries of lights were, I think, placed on the  
east and west side in 1939.

\* \* \* \* \*

(Tr. p. 556):

The purpose for which those lights were placed on the  
Stadium was to make the Stadium available for night  
use, for all purposes or for any purpose, if in the judg-  
ment of the Park Board it was proper.

\* \* \* \* \*

#### REDIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. pp. 591-592):

It is my recollection they never could get sod there.  
So far as I recall in June, 1944, before the Orioles came  
into the Stadium, there wasn't good sod on those parking  
lots. I think the dust nuisance was there from the begin-  
ning of the Stadium and everything was done to try to  
stop it. The neighbors complained of dust for years be-  
fore the Orioles got there.

\* \* \* \* \*

(Tr. p. 601):

COLONEL JOHN G. SHETTLE,

a witness produced on behalf of the defendants testified  
as follows:

\* \* \* \* \*

(Tr. p. 602):

#### DIRECT EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. p. 605):

I would say the nearest house was the old Pennington  
farm, which was approximately at a point about one  
square north of 36th Street, on the rise of the highest  
point of land in that area. That house is not still there.  
It was approximately 500 yards from the Stadium or  
about one block north of 36th Street, on the north side  
of the Stadium.

\* \* \* \* \*

(Tr. pp. 606-607):

There were no other houses to the north of the Stadium  
at that time. There was an old brick tenant house about  
1,000 yards east of the Stadium, between the Stadium  
and the old stone barn, which is still down near the  
Loch Raven Boulevard. This brick tenant house has  
been torn down years ago. To the west, viewing it from  
where Ellerslie Avenue is now, there was a stream bed  
of approximately 100 yards west of where Ellerslie  
Avenue is now, and was, I believe, two frame houses  
west of that stream bed. Those houses are not there now.

\* \* \* \* \*



The only houses to the south were the houses facing on Gorsuch Avenue, with the exception of Reed's frame building, which is just in the rear of Ellerslie Avenue and Gorsuch Avenue. That is still standing. There was a house on the site of the Eastern High School, which was the Taylor estate. That was demolished when it was taken over at Venable Park.

\* \* \* \* \*

(Tr. p. 616):

Since the erection of the Stadium, the land immediately surrounding the bowl has been used for parking.

\* \* \* \* \*

(Tr. p. 617):

WILLIAM F. BROENING,

a witness of the defendants, testified as follows:

DIRECT EXAMINATION

\* \* \* \* \*

(Tr. p. 618):

\* \* \* \* \*

(Tr. p. 621):

It was the original plan to eventually have a permanent seating structure in the Stadium. From the time of the first game on down, the City shared in the receipts of the various events that were held at the Stadium with others. The idea, of course, was to make a charge and have it be self-sustaining.

\* \* \* \* \*

(Tr. pp. 627-630):

REDIRECT EXAMINATION

By Mr. Kemp Bartlett:

In 1922, when I decided to build a Stadium, there was a demand by the people of Baltimore for it to such an extent that an invitation was extended to all of the civic bodies and sporting people in the City to meet in the Mayor's office for the purpose of considering it. Then later on, when General Butler came to Baltimore after the first game, I think, played there, at that time with the team from the Great Lakes Training Station, and his representative came to my office and asked me to arrange to get Johns Hopkins to allow them to use their field out there to play that game, and we met with such success that there was a demand all over the city that we build a Stadium so we could house and provide for a game of that kind. That caused the invitation to go out. General Butler at that time said if we could guarantee him a field that would hold 25,000 people, he would agree to play in Baltimore the following year. Then we had in mind the development of Mount Royal Reservoir. Everybody at that meeting agreed that it was a fine thing to build a Stadium, even the people around Mount Royal Reservoir, but they objected to the Stadium being built there at the Reservoir. So we had this demand to build a Stadium at the Mount Royal Reservoir. The reason we agreed to do that was because I had promised General Butler that we would build a stadium of that capacity. Then General Agnus, of the Park Board, invited us to a conference at his house and he pointed out that that would be a mistake, that you could not extend the capacity of the Stadium there, and we ought to build it at some other site, and it was his suggestion that the Stadium at its present site, known then as Venable Park, would be an ideal place to build the Stadium and would lend itself to a capacity that would serve Baltimore's needs that were to come. I had in mind, then, my promise to General Butler and General Bailey to furnish them with a Stadium with 25,000 capacity. I agreed, however, to go out with the Park Board the following morning to look at this site. We went out there, and they pointed out the site where the Stadium is at the present time, and we had the chief engineer there. After being assured that there would be sufficient time—this was then around April or May, I think it was—that we could build a Stadium to meet the needs of this suggested game between the army and the marines, that I would agree to that site. The newspapers took it up. There weren't any objections at the time. We broke ground and on the very next day they started to build the Stadium. That is the story of why we located at the present site. First it was suggested by General Agnus, second it was undeveloped land and lent itself very readily, with parking space all around, to meet the future needs and probably give Baltimore advertising as far as active sports were concerned, and would be very helpful. That is how we came to locate out there.

\* \* \* \* \*

(Tr. pp. 629-630):

Q. But there is no doubt that the Stadium was built to be used? A. Oh, there weren't any restrictions of any kind. The idea was to make it a good sports center, all sorts of activities, anything that would come to play there was legitimate, the idea was to use the Stadium for that purpose.

Q. And you have said that the Chief Engineer advised you to put in wooden seats first until the land settled? A. Absolutely, that was necessary. I understood that very readily because it was all made ground.

Q. Then concrete seats were to be put in to replace the wooden seats? A. That was the original idea.

Q. And I imagine it was your idea and that of the Park Board that the money to do this would come from the use of the Stadium? A. We all anticipated that the returns would justify the expenditure.

Q. And that it would not be an expense to the taxpayers, but self-maintaining? A. Self-sustaining, yes.

\* \* \* \* \*

(Tr. pp. 633-634):

(The Court) Mr. Broening, I want to ask you one question, and I am going to take judicial notice of the fact you were a member of the Bar as well as the former Mayor of the City. Mr. Driver asked you if there was any statute authorizing the building of the Stadium.

(The Witness) Yes.

(The Court) Do you know of any statute or ordinance that limited the use of the Stadium?

(The Witness) I do not, your Honor. On the contrary, that question was covered at the time by the City Solicitors Department.

(The Court) I am talking about 1922.

(The Witness) In 1922; yes, sir.

(The Court) Do you know of any statute or ordinance—

(The Witness) Prohibiting it or limiting it, I don't know, sir.

(Tr. p. 634):

THEODORE MOTTU,

produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Ghingher:

(Tr. p. 639):

The first use of the Stadium that I recall was the Army and Marine game. The administration building had not been completed and we had the front of the Stadium covered by tarpaulins. That was a large event. The biggest thing, I guess, Baltimore has ever had up to that time, if I remember correctly. The City or the Park Board derived revenue from that game. I do not recall to what extent they shared in the proceeds.

There were parking lots on the Stadium site. We intended to have parking on both sides of the Stadium. And they were so used.

CROSS EXAMINATION

By Mr. Driver:

(Tr. p. 643):

The playing field was not primarily built for a baseball diamond, if that is what you are trying to get me to say, but it was constructed so we could put a diamond into it; yes. That was discussed at a meeting of the Park Board. The Chief Engineer was Henry G. Perring, and the engineer of Parks was Mr. Winfield Courts.

(Tr. pp. 651-652):

WINFIELD S. COURTS,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Harlan:

(Tr. p. 658):

A baseball diamond was laid out, the design and length of the Stadium to fit it for baseball and football. I laid out the baseball diamond on the original plans. I made all the plans.

(Tr. pp. 690-692):

REDIRECT EXAMINATION

By Mr. Kemp Bartlett:

I was present when the Stadium was built. With respect to those parking lots on the east and on the west, we knocked off the humps, filled the holes, and rolled them. They just took a bulldozer and rolled that over.

There were clouds of dust after we built the parking lots. When it was used for parking automobiles, there was dust. And that has been so since it was built. When the plan was originally made in 1922, I as engineer for the Park Board, laid out a baseball diamond on it. We laid out that entire field so we could get a baseball diamond and a football field at the same time.

(Tr. pp. 693-700):

FRANK A. HANCOCK,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Biddison:

(Tr. p. 705):

(By Mr. Biddison) With regard to the use of the second floor of the Stadium; the use of that was determined by the Park Board. They could say so and so can go there and the Orioles had to let them. Several times during the ball season I recall that people other than the Orioles used it.

(Tr. pp. 706-715):

CROSS EXAMINATION

By Mr. Driver:

I have been familiar with the Baltimore Stadium for a long period of years. Generally speaking the Stadium has been used for collegiate, scholastic, religious and civic events. But there have been some others than that class of events before, what you might call commercial. They have had commercial events there, purely commercial, Lucky Teeter. There was another show similar to the Lucky Teeter show, and during the years there were a number of them. I cannot recall a schedule for twenty-two years.

(Tr. p. 708):

Before 1944, the professional football games, the Washington Redskins played there. They were not charity games. After I left the Redskins played charity games for the Variety Club, but the first time the Redskins came there was through negotiations between Marshall and myself.

(Tr. pp. 710-711):

If we came across something that wanted to play there we talked it over with the individual that applied. We had prize fights there; Squires and Lakin. Squires and

Lakin were the promoters. They had Charlie Conn down as referee. They had some celebrated features, there and we had a pretty big crowd, around 10,000, which was unusually big for boxing in Baltimore. The idea in our minds was about 6,000 was the limit, but we had 10,000 there. It was several years ago. The date I can't remember.

\* \* \* \* \*

(Tr. p. 712):

The majority of events were not commercial. I can't explain how that happened. I don't recall any reason. We went after events we thought we could get, commercial events. Circuses and shows usually have a rather definite schedule to go from town to town. I happen to recall in 1926, when the Sesqui-Centennial exhibition was in Philadelphia, I went over there to see the manager of the rodeo that was playing there at the Philadelphia Stadium and tried to get him to come over and put the rodeo on in the Baltimore Stadium. What blocked it was that he wanted too big a guarantee to appear here.

\* \* \* \* \*

(Tr. p. 713):

I was a director of the Stadium when the Orioles came in. When they first came in the general idea was that they were to use it until they got another place to play. Their place had just burned down. And they had no other place to go.

\* \* \* \* \*

(Tr. p. 714):

That sign, "Temporary Home of the Orioles," was not put up by the Orioles. We originally had a sign out front on which we painted the schedule of football games. Then events got so close together we could not get them all on that one sign. One would be on Saturday and a few days after that would be the other. We needed two signs to do that. So we erected another one across the center walk on the other side. When the fall schedules were over and winter came along, we painted out what was on those signs and the next spring, as things came along, we painted the extra events that were to happen on such and such a date, this team will play here. When the Orioles came in, it was the summer time, and one of the signs, of course, was available to them. I think the Fourth of July fire works display was painted up on the other one. They were permitted to paint their sign. I think they painted on it. "Temporary Headquarters of the Orioles," or something to that effect.

\* \* \* \* \*

(Tr. p. 715):

I can't say exactly how long it stayed there. The ball club played during the warm weather, they ended some time in September, and I assume we painted it out when we put up the fall schedule.

\* \* \* \* \*

(Tr. pp. 783-787):

JACOB W. SLAGLE,

a witness produced on behalf of the defendants, testified as follows:

#### DIRECT EXAMINATION

By Mr. Harlan:

(Tr. p. 783):

I was manager of the Stadium from May, 1946, to April, 1947.

\* \* \* \* \*

(Tr. p. 784):

I was present there during the 1946 baseball season.

\* \* \* \* \*

(Tr. p. 785):

I don't recall during the baseball season any complaints to my office of either the lights or the loud speaker.

\* \* \* \* \*

(Tr. p. 786):

I received more complaints during the high school football games than any others. They were played mostly at night, but they did have some on Saturday afternoons and some on Sunday. The nature of the complaints I received from the high school football games were mostly loud speaker noise.

\* \* \* \* \*

(Tr. p. 787):

During 1946 the parking spaces were not filled up. The average crowd at a baseball game I would say were 8,000, and I never heard any particular complaints they could not get on the lots. It was adequate.

\* \* \* \* \*

(Tr. p. 805):

FRANK SHAUGHNESSY,

a witness produced on behalf of the International League of Professional Baseball Clubs, testified as follows:

\* \* \* \* \*

(Tr. pp. 806-818):

#### DIRECT EXAMINATION

(Tr. p. 806):

By Mr. Cross:

I am president of the International League of Professional Baseball Clubs, elected as such in the fall of 1936. I succeeded Mr. Charles H. Knapp of Baltimore as president.

\* \* \* \* \*

(Tr. p. 806):

I was manager of the Montreal club in 1935 and 1936. I went to college at Notre Dame University, and I played football and baseball there.

\* \* \* \* \*

(Tr. p. 807):

I managed professional baseball teams in Roanoke, Fort Wayne, and Ottawa, Canada. I went to the Navy in 1916. Then I came back and managed Hamilton, and in 1921 I went to Syracuse and managed Syracuse until 1925. I managed Providence part of 1925, then I became Scout for the Detroit Tigers.

\* \* \* \* \*

(Tr. pp. 808-809):

There are eight clubs in our league; two in Canada—one in Montreal and one in Toronto, and six American teams: Buffalo, Rochester, Syracuse, Jersey City, Newark, and Baltimore. The League is a member of the National Association of Professional Baseball Clubs, that is, all the minor leagues of the country. It is a non-profit organization as far as officers are concerned. We are maintained by per capita of five and one-half cents on each admission. That pays the officers and umpires.

\* \* \* \* \*

(Tr. p. 809):

Our office is responsible for the disciplining of ball players. I provide umpires and am in full charge of the conduct of each member of the league. They have to observe the rules as laid down by our constitution and by-laws, and also the constitution and by-laws of the International Association. We are subject to the jurisdiction of the Commissioner of Baseball, Mr. Chandler, and before him, by Mr. Landis.

\* \* \* \* \*

(Tr. p. 811):

In my duties as president of the International League, I try to see a game every day. Sometimes I see two \* \* \* On an average from 1944, when the Orioles took over and played in the Stadium. I know I have been down here nine and ten times per season, not counting the playoffs. If the playoffs are here I will probably see all of the playoff games here as well as one or two of the other games.

\* \* \* \* \*

(Tr. p. 813):

\* \* \* From the experience I derive from attending games, my observations as to the conduct of the crowds in Baltimore attending the games at which I have been present is when we came over to the municipal stadium there was a tremendous change of the demeanor of the crowds and their conduct. The former Oriole Park was a small park, a little wooden park, and it was pretty hot out there at night, and there was an awful lot of beer drinking.

\* \* \* \* \*

(Tr. pp. 813-814):

After we got to the Baltimore Stadium there was a tremendous change. There was no beer sold or alcohol sold, and I went all over the stands and I was very much interested because it was quite an experience to go into a big football stadium; but I found out when they were playing at night, especially with the heat that you have in a city like Baltimore, I found a tremendous number of families came out to the games, the women came out with the men.

\* \* \* \* \*

(Tr. p. 815):

(The Court) I understood him to say the crowd out here at the Stadium is an orderly crowd. Is that right?

(The Witness) Exceptionally so.

\* \* \* \* \*

(Tr. pp. 817-818):

I always walk around the Stadium because that is part of my job, to see what is going on, to see how people are getting treated, and to see how the gates are working and so on. After all, we have an interest in it. In walking around outside of the Stadium, I observed so far as the brilliance of the lights is concerned that they certainly don't compare with the brilliance that you get from a major league park because you don't have the number of lights.

\* \* \* \* \*

(Tr. pp. 822-823):

The schedule for each year becomes final about the first of February. Each club plays against the other clubs eleven games at home and eleven games at the other clubs' park. That makes seventy-seven games each club plays on the home grounds. That does not necessarily mean seventy-seven days; it will generally run around sixty days but might run sixty-eight or sixty-three. It is the double headers and rain that decrease the number of days played.

\* \* \* \* \*

(Tr. p. 824):

By Mr. Biddison:

As to the length of the International League season, we open April 22nd and we close on September 12th.

(Tr. p. 825):

#### CROSS EXAMINATION

By Mr. Driver:

\* \* \* \* \*

(Tr. pp. 826-827):

I do not know anything about complaints about the lights. I knew that the Baltimore Club was cooperating to every extent that people could go, beyond any other club in baseball, in trying to satisfy the residents around there by playing only three games in succession and by putting on a time limit of quarter to eleven. We haven't got that in any other baseball park I know of in the United States.

\* \* \* \* \*

(Tr. pp. 828-829):

I recall a fire at Oriole Park in July of 1944. I was notified at two o'clock, came right down from New York immediately on the five o'clock train. I know that the then Mayor of Baltimore, Mayor McKeldin, offered the use of the Baltimore Stadium to the Orioles.

\* \* \* \* \*

(Tr. p. 829):

We went up to survey it, had several ball players out there, and laid out the foul lines, and the field, and I told them it was perfectly O. K., as a ball field and recommended it. I have kept pretty close tab on what the Orioles have done since then.

\* \* \* \* \*



(Tr. pp. 831-836):

(The Court) Let me ask you this, Mr. Shaughnessy. I think probably everybody knows this, but for the sake of the record, there are never any games played in the ball park wherever it might be, whether Oriole Park or in the Stadium or in the League, in which the home team does not participate, are there?

(The Witness) Do you mean in the profits?

(The Court) No, I mean you would not have two teams from other cities playing in Oriole Park during the scheduled season?

(The Witness) No, no. You cannot bring any team in professional baseball into the territory of another club. They have territory rights and they cannot be invaded.

(The Court) So this only affects the playing of the Orioles, doesn't it, and such other teams as they play?

(The Witness) That is right. What it does is this: For instance, when the Orioles were burned out, if they hadn't some place in Baltimore to play, the league would have been terribly affected. In fact, as I should have told Mr. Driver, they were so shocked at the time this fire happened, they did not know where they were.

(The Court) In an emergency like that, even they would not go to Jersey City, would they?

(The Witness) They would have to play their home games on the road, which, of course, it would be a tremendous loss to the club because all they would get would be nineteen cents on each admission and that would not sustain the club. The club would have to be dismantled because they would not have the money to pay salaries. They would barely take care of their hotel bill and being gone that long for twenty-two games would hurt the game.

(The Court) I mean there would never be any danger of other teams playing in the Oriole scheduled games in the Stadium, would there?

(The Witness) No.

(The Court) You said the schedule started at April 20th.

(The Witness) April 22nd. We opened two days after the Majors.

(The Court) Then you play so many games at home, then so many away.

(The Witness) That is right.

(The Court) Then you come back and play so many at home and so many away again, isn't that right?

(The Witness) Yes.

(The Court) They are not disposed like one or two games away and one or two games at home, are they?

(The Witness) The way we work it, your Honor, we divide it into north and south sections. For instance, we have Baltimore, Jersey City, Newark, and Syracuse, and on account of the weather we open in the south in April and each of the four northern clubs will play probably three games in Baltimore before they go north. They go north in May and each club will play the four clubs up there. Then they come back to Baltimore, then they play what you call intersectional games. They play the other three clubs from their own section. After they play these intersectional games they go and play Jersey City and Newark, then go back and play Syracuse. After they play those, the northern clubs come south again, then they go north, and there will be an intersectional series. It is generally a three trip schedule, three times up there, three times down here, and they play the other clubs three different times in Baltimore.

(The Court) Between the times of the games you play at home, how much of a period would there be ordinarily between your series of games at home, so that other athletic clubs could be scheduled, would it be a week or two or ten days, or what?

(The Witness) Sometimes when they are playing north, they will be away as much as fifteen, sixteen, seventeen, eighteen days, although this year we have cut it down where it will be more uniform, ten or eleven games at home, and ten or eleven games away. Of course, when you are playing the intersectional series, you aren't so much away.

(The Court) How long would you generally be on the road, on the average of a week or more?

(The Witness) Generally more than that. It will be three times you will be away from twelve to fifteen days.

(The Court) We begin at home here, do we not, in April?

(The Witness) Yes, from the 22nd of April to the 2nd of May.

(The Court) From the 2nd of May, we will say until—

(The Witness) The 16th they will be away.

(The Court) There will be a period when it would not be at home on any days.

(The Witness) Yes.

(The Court) And any other athletic event could be scheduled at that time.

(The Witness) Yes.

(The Court) Then you come home.

(The Witness) Then you come home. This year we made a change in order to get the northern clubs out of there and not have too many games in May, for instance, Montreal would have twenty-four games in May and it was too cold up there, so we moved them down from the 16th to the 23rd down here, moved all the northern clubs down for a week, and it works out the same way, only it cuts down the intersectional series.

(The Court) Would that go all through the summer?

(The Witness) No. From then on we go back to our intersectional fifteen or twelve games up there and about the same number down here.

(The Court) While those fifteen games were being played away, would it be true any other athletic events could be scheduled here?

(The Witness) Certainly. As I understand it, the Baltimore Stadium has the right to schedule other games.

(The Court) But the Orioles would not be here.

(The Witness) No, they would not.

\* \* \* \* \*

(Tr. p. 838):

(The Witness) That is the accepted schedule.

(The Court) This bears out what you have been saying. You start on April 22nd here and continue up until May 3rd, then you go away, then you start again on May 17th, and you continue the 18th and 19th, then you go away until May 29th. Then you play four games and come back and start in on June 1st, then you have a long stay at home. You stay apparently—well, with the exception of about three days, you stay until June 20th.

(The Witness) Yes.

\* \* \* \* \*

(Tr. pp. 844-845):

GEORGE M. ARMOR,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. p. 846):

From 1929 to 1937, the Baltimore Stadium was used for the playing of athletic games, and it was used for civic affairs. \* \* \*

\* \* \* \* \*

(Tr. p. 846):

The Park Board approved the various schedules and events for each year. Those schedules included various types of events.

\* \* \* \* \*

(Tr. pp. 856-858):

CHARLES A. HOOK,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

(Tr. p. 857):

By Mr. Ghingher:

\* \* \* \* \*

\* \* \* My duties are the maintenance and supervision of the Stadium and to supervise the schedule for the playing of games and preparing it for Stadium events other than baseball.

\* \* \* \* \*

(Tr. p. 858):

In that capacity I was officially responsible for the preparation, or at least, assisted in the preparation of schedules for use of the Stadium.

\* \* \* \* \*

(Tr. p. 859):

I did participate in the arrangement of the schedules for 1948, this year. The actual details of the arrangements were to be congenial with the schedules and those were left to a committee of Mr. Maxwell, Mr. King, secretary of the Board, and myself, for 1948. We reported back to the Board at its next meeting and they passed on it. We make a recommendation and tried to get each request, each tenant for the Stadium to agree to dates before submitting it to the Board for final approval. We took into consideration, or considered baseball, football, Fourth of July celebration, Bugle Contests on Labor Day, Easter Sunrise Service. In the fall of last year we had the National Amateur Baseball Tournament which was played there.

\* \* \* \* \*

(Tr. p. 861):

In my experience in the last year and previous years, I had no complaint as to the—no fault to find with the conduct of the crowd. They seemed to be very orderly. When the game was over they left very quickly, I would say within fifteen minutes. I base that on the fact that my instructions to the men were as soon as the crowd left the Stadium they were to lock all the gates and lock all toilets, inspect them and lock them. Those men were ninety-five per cent of the time ready to go home at eleven o'clock at night because they reported back to my office.

I witnessed about ninety-five per cent of the games in an official capacity. From my own observation as to when the games are completed, I think the average is about 10:30 or 10:40. I remained until the office was closed and the lights were out. The lights were turned out after the games about ten minutes of eleven or five minutes of eleven, something like that.

\* \* \* \* \*

(Tr. pp. 864-865):

Occasionally we got a complaint that the loud speaker was a little loud, but, on the other hand, other than that we had very, very few complaints. I can't recall any. Complaints were received at my office and were called to my attention. We immediately notified the Orioles' office that they reduce the volume of the loud speaker. From my observation, that was done in substantially all cases. Most of our complaints came when the high schools were playing.

\* \* \* \* \*

(Tr. p. 865):

We never had any destruction as far as the baseball was concerned. The people left orderly. I had no complaint to find with the baseball crowd.

\* \* \* \* \*

(Tr. p. 877):

THOMAS J. GUCKERT,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Ghingher:

\* \* \* \* \*

(Tr. p. 879):

It is my job to see that every event held in the Stadium runs as smoothly as possible in regards to the crowd, whether baseball, football, Sunrise Service, or anything, to run the event off as smoothly as possible. In that capacity, I was in a position to receive practically all the phone calls that came into the Stadium.

\* \* \* \* \*

(Tr. p. 900):

C. MARKLAND KELLY,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

(Tr. p. 901):

By Mr. Biddison:

I have been a member of the Park Board of Baltimore City. I went on the Park Board in 1935 and stayed eight years to 1943. I then became President of the City Council, so that automatically terminated my service on the Board. During the time I was on the Park Board, I had occasion to examine the ground immediately adjoining the Stadium on which cars park.

\* \* \* \* \*

(Tr. p. 902):

It is known as the parking lot and also the playgrounds for the children. I would say its physical condition is the same today as it was then and vice versa.

\* \* \* \* \*

(Tr. p. 903):

I was a member of the Park Board at the time the lights were installed in the Stadium. They were installed in the Stadium to give the people of Baltimore a larger use of the facilities of the Baltimore Stadium. Prior to the installation of the lights, there had been a limited use of the Stadium.

\* \* \* \* \*

(Tr. pp. 905-906):

Q. Mr. Kelly, to what different types of organizations was the Stadium leased during the period you were a member of the Board? A. Why, it was leased to any organization that came along, whether sports or any gathering that might want the use of the Stadium. They were usually granted the right to use it under the right kind of conditions.

\* \* \* \* \*

(Tr. p. 908):

In fact, anything that made application it was my job to bring the Stadium in as far as we could for the people of Baltimore to participate in from a recreational standpoint, and we practically had everything. There wasn't anything turned down that I know of that made application for the Stadium. It was open to everybody. We even put rodeos in there on our grass, which broke Colonel Hancock's heart, but we made arrangement to replace the grass as part of the contract. So I would say anything that came along that the people of Baltimore would be interested in, we tried to put in the Baltimore Stadium.

\* \* \* \* \*

(Tr. p. 910):

CROSS EXAMINATION

\* \* \* \* \*

By Mr. Driver:

(Tr. p. 910):

I was for Sunday events because every one of our public parks were open to everybody and we even had public parks with baseball teams that were charging admission.

\* \* \* \* \*

(Tr. p. 931):

LIEUTENANT MILLARD F. LIVINGSTONE,

a witness produced on behalf of the defendants, testified

DIRECT EXAMINATION

By Mr. Harlan:

\* \* \* \* \*

(Tr. p. 932):

I attend a majority of the baseball games which have been held there. I have one night off a week, and when I am off Lieutenant Urspruch takes over the command. I also attend football games.

\* \* \* \* \*

(Tr. p. 932):

My duties are to assign men at different posts at the Stadium, to see that order is kept. The number of men I have there during the average baseball game depends on the crowd. Anywhere, I would say from five to thirty men. It all depends on the size of the crowd.

\* \* \* \* \*

(Tr. pp. 935-936):

During the 1947 baseball season, I judge I made about five or six arrests inside the stands.

\* \* \* \* \*

On occasions of football games in 1947, I judge there were about eight or ten arrests made. I am most sure it was more in the football games than it was in the baseball games. They were made inside of the Stadium.

\* \* \* \* \*

(Tr. p. 936):

CROSS EXAMINATION

By Mr. Driver:

\* \* \* \* \*

(Tr. p. 940):

We don't have any jurisdiction on 36th Street, we just cover the parking area and the inside of the Stadium.

\* \* \* \* \*

(Tr. pp. 942-948):

LIEUTENANT AUGUST K. GRIBBIN,

a witness produced on behalf of the defendants, testified as follows:

\* \* \* \* \*

(Tr. p. 944):

In 1947, with regard to arrests made inside of the Stadium, my men made four arrests during the baseball season. In the football season, twelve arrests for the

larger football teams and five for the high school teams. I have had occasion to check the number of arrests made during the 1947 baseball season outside of the Stadium, in the territory immediately surrounding the Stadium, by the police department. For the 1947 baseball season, no arrests were made by the Baltimore Police Department outside of the Stadium during the baseball season. There was one arrest I made personally on 33rd Street but that was just on the Stadium pavement. I had taken two men from the inside and he insisted on being taken along too. He was arrested outside but he came out with his friends from the inside.

\* \* \* \* \*

(Tr. p. 946):

During football games during the 1947 season, the men that were assigned to me at the Stadium did not make any arrests, but the district men had arrested nine boys for stealing out of automobiles in 1946 and 1947; five in 1946 and four in 1947.

\* \* \* \* \*

(Tr. p. 947):

During the football season we have assigned to the Stadium under my direction two men from each of the eight districts: sixteen men. There are some exceptions to that, depending on what teams are playing. When the Army or Navy or Notre Dame comes to town we have ten men from each of the eight districts, or eighty men. I think I am familiar with parking signs in the neighborhood surrounding the Stadium; such signs placed by the Police Department in various streets and alleys surrounding the Stadium. The signs along the main thoroughfares like 33rd Street and Ellerslie Avenue are placed by the Traffic Division. The signs in the back alleys are placed by the men of the Northeastern District out of the Belair Road sub-station.

\* \* \* \* \*

(Tr. p. 954):

#### CROSS EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. pp. 955-956):

I attend almost every event that is held at the Stadium.

Q. Have you been able to compare the Baltimoreans who go to baseball games with those who go to football games as to their orderliness and the way they conduct themselves? A. I am convinced there is no difference.

Q. They are the same people attending the same kind of functions, aren't they? A. Yes, sir.

Q. And no difference in the way they conduct themselves? A. No, sir.

\* \* \* \* \*

(Tr. p. 964):

JOSEPH J. KING,

a witness produced on behalf of the defendants, testified as follows:

#### DIRECT EXAMINATION

By Mr. Ghingher:

\* \* \* \* \*

(Tr. p. 965):

One of my duties includes that of custodian of the Park Board records. And among those records I have a financial report which indicates the relationship between receipts and expenditures at the Stadium since the time it was constructed.

(Have printed *Statement of Receipts and Disbursement.*)

\* \* \* \* \*

(Tr. pp. 1010):

#### CROSS EXAMINATION

By Mr. Kemp Bartlett:

I spoke of a large sum of money that was spent in 1946 for repairs to seats. They were in the X section, which are those high wooden seats around the horseshoe part and only used in the football season, as a rule. Those seats were originally constructed of wood, and in the weather they had become rotted or in disrepair and had to be entirely renewed. The Park Board let a contract for the renewing of them, and they were renewed at a cost of \$75,000 to \$80,000 and charged to the operation of the Stadium for that year. Although it took ten to fifteen years to wear out, they were repaired in one year and charged to the operation for that year. They are mostly used by football crowds because they are so high. I mentioned three Navy night games that were held at the Stadium in one year, that was the year 1943. Those games were held at night in the Stadium. The first was the night of October 2nd, 1943, and the attendance was 32,500. The next one was held on the night of October 9th, 1943, and the attendance was 50,000. The last one of that year was held on October 23rd at night and the attendance was 56,000. Two of them were consecutive and one a week later. And they played Cornell, Duke, and Georgia Tech.

\* \* \* \* \*

(Tr. p. 1022):

LLOYD G. McALLISTER,

a witness produced on behalf of the defendants, testified as follows:

\* \* \* \* \*

(Tr. p. 1030):

#### DIRECT EXAMINATION

By Mr. Biddison:

If a city or any corporation buys a piece of property for a particular purpose or to erect a plant on it, and they later change their plans and want to utilize that land for something else, or part of it for something else, they are not prohibited, in my opinion, from doing that unless it is a greater restriction on the use than you have in this case.

\* \* \* \* \*

(Tr. p. 1045):

There is no relation between the dedication of a street and a piece of virgin land for some use because the abut-



ting owner of the street in the operation of the law has a right to use the street in the first instance as a private way and if it is open for a certain length of time it becomes a public way. Then if the City went in and tried to wipe out the private user, then the private user would balk and you could not deprive him of the use of the land. In short, this property is not dedicated for park use.

\* \* \* \* \*

(Tr. p. 1051):

CLARENCE P. ADAMS,

a witness produced on behalf of the defendants, testified as follows:

\* \* \* \* \*

(Tr. pp. 1059-1060):

CROSS EXAMINATION

By Mr. Driver:

The night I made the test was the night of the day this trial started. I made my test holding the instrument at eye level. The meter was held forward to the slant, perpendicular from the rays to the light.

\* \* \* \* \*

(Tr. pp. 1068-1069):

I am willing to take a test of the light in Mr. Green's house with this light meter I have talked about. And in the houses of several of the other neighbors in the area who have complained about it. I am sure the night I made my test the weather was normal and it was clear. It was not hazy. After we made the test we went back and inside of the Stadium, and I glanced around at all the towers. They seemed to be all on, burning. I went inside of the Stadium and looked at them. All towers were illuminated.

\* \* \* \* \*

(Tr. p. 1073):

If you give an ordinary person enough time and let his eyes get adapted, you can read standing in front of a street light with .5 candle; yes. I have done it.

(The Court) Can you do it with .2 do you think?

(The Witness) It might be if you waited long enough and got your eyes adapted, yes, it might be possible.

(The Court) Suppose he got down to a point where you get into a division of the statistics, starting with, say, .05, could he read it?

(The Witness) I doubt it.

(The Court) Could he read with .1?

(The Witness) I cannot answer that with any authority. Some people say you might be able to do that if you wait long enough and adapt your eyes; some people might be able to read at that intensity.

\* \* \* \* \*

(Tr. p. 1076):

THOMAS P. BALDWIN,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Harlan:

(Tr. p. 1078):

\* \* \* It is my duty to wait until the lights go out and everybody has left and see that there is no fire there before I leave.

(Referring to a report.)

This is a detailed report of the Baltimore Stadium baseball games.

\* \* \* \* \*

(Tr. pp. 1081-1082):

It shows the time of my arrival and the time of my departure from the Stadium. At 7:30 I arrived and 10:30 I left. And these are other sheets on other days that I was there.

(Paper referred to offered and received in evidence as Defendants' Exhibit 13.)

\* \* \* \* \*

(Tr. p. 1081):

In every instance, I would say the lights were out and the people had left the Stadium inside of the Administration building, behind the Administration building, they had left. And the big battery of lights was out.

\* \* \* \* \*

(Tr. p. 1082):

My duties are to scrutinize the Stadium and see everyone is out of it, to see that there isn't any fire hazard exists.

\* \* \* \* \*

(Tr. pp. 1129-1147):

HERBERT E. ARMSTRONG,

a witness produced on behalf of Baltimore Baseball and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

I am business manager of the Baltimore Baseball and Exhibition Company, and became such in 1943, when the Orioles were still at Oriole Park. I am a graduate of David's College in New England. After I graduated from college I taught school and coached athletics. I played professional baseball from 1912 to 1925, in the International, the Canadian, Virginia, New York, Pennsylvania Leagues.

\* \* \* \* \*

I taught at City College for eleven years, at Donaldson School for four years, and at McDonough for fourteen. I was head of the mathematics department at McDonough. I coached athletics and was athletic director. I was head coach of baseball and assistant coach of football at Johns Hopkins covering a period of four years. I have been an official for football games in the Stadium for twenty-five years. I refereed the second game that was ever played in the Stadium in 1922. That was a game between Jim Thorpe's Indians and a Baltimore team. That was a professional football game and entirely commercial. It was a week after the Third Corps Area-Marine game. I refereed two of three Navy games played in 1943. There was a very large attendance at those games, and they were played at night.

Business manager of a professional baseball team exercises the usual duties associated with that office in other businesses. In my particular case I act as purchasing agent and negotiate certain contracts, exclusive of those made by the baseball players. I hire the help, superintend the help generally. I have supervision over the ticket takers and the employment of guards and ushers.

\* \* \* \* \*

The work is organized under department heads and I supervise the work.

\* \* \* \* \*

I generally attend to the business of the Ball Club.

On the afternoon of July 4th, 1944, Mr. Reed, Manager Thomas, President Shaughnessy of the International League, Mr. Bartlett, and I went out to the Stadium to look over the situation there with respect to the possibilities of the use of it for baseball purposes, and arrangements to use it were negotiated and I had the work to do getting it into shape to use for baseball.

\* \* \* \* \*

There were two light poles remaining from the fire at Oriole Park and we moved them over to the Stadium and used them to help light the infield. The home plate was placed at the northwestern end of the Stadium.

\* \* \* \* \*

Center field from home plate is southeasterly, in a southeasterly direction. That gives us a third base line running in an east by south direction. The two steel poles were placed parallel with the foul line and forty feet to the north of the foul line. They are steel poles about 65 feet high, with banks of light at the top of each pole. Each bank carries, or did carry until 1947, 16 lamps. We complemented the number in 1947 by adding 10 smaller lamps at the bottom or just below the bottom row at each bank. Those bulbs are 1500 watt bulbs. They are enclosed in cone like reflectors. The light cannot go out the rear unless there are cracks in the reflectors. And they reflect light in the usual fashion. I don't know how else I can describe it other than to say a cone shape. Those particular lamps are aimed toward the Administration building, toward the south and also down on to the diamond.

\* \* \* \* \*

The purpose of those lights is to get light on home plate and the pitcher's box particularly. We need a very strong concentration there so that the batters can see the ball. We do not want any of that light to spill anywhere. We need all of that light at home plate and on the infield, and that is the purpose of those lights.

\* \* \* \* \*

We went all around the Stadium to look the situation over in that respect, to light from those poles and reflectors shinning outside the Stadium, and we found that there was one spot corner Ednor Road and 33rd Street where there was just a slight spill from one or two lights at the top of one of the banks. There is only one spot there. We could not find any other or any place around the Stadium where those lights were visible. Mr. White and Mr. Evans have described the six steel towers on the top of parapet of the Stadium in professional detail.

\* \* \* \* \*

Those lights were there when we went to the Stadium on July 4th, 1944. Nothing has been done to them since; other than the fact we try to keep them in the best condition possible by cleaning them to such a degree as we can and by supplying new lights from time to time to obtain the maximum intensity of light on the playing field, where our light intensity or the amount of light we are getting, I suppose you would say, is adequate, but certainly it does not compare with the modern lighting systems they are putting in in that respect. I think we have an average foot candle, if that is the technical term, of about 23 or 25, whereas at the Yankee Stadium it would be around 200. You can see we are way below. There has been a big development for lighting for night baseball since 1939. A number of the clubs in our league are increasing the lighting today and putting additional poles in. Montreal is doing that and one or two others. Since we have been there from the middle of 1944, our company has done nothing with respect to those six lighting towers, except to use the equipment that was there and replace the broken bulbs. Mr. White is correct that when it is focused for use at night baseball, that it is focused then toward the infield. I have been present at all the focusing of light that has been used since then to make sure we get the proper distribution and see that there is sufficient light.

\* \* \* \* \*

The public address system was on top of the Administration Building. It has been there from the beginning. It had been used for football and other events which were held in the Stadium.

\* \* \* \* \*

For announcing the line ups and for substitutions, emergency calls, announcing lucky numbers. That is about all. We did play music there. Other ball clubs in the league all have public address systems.

\* \* \* \* \*

(Tr. pp. 1149-1157):

We did not use the loud speaker system on the roof of the Administration Building. This one that we rented and installed was a smaller system than that one which was on the roof of the building. When we went out to the Stadium in 1944, I did look at the parking lots. The parking lots never were licensed or leased or in any way given to the Oriole Baseball team or the Baltimore Baseball and Exhibition Company to control. Back in 1922, when I refereed a game out there, I had seen the parking lots, and had many occasions to park on them between 1922 and 1944.

\* \* \* \* \*

I would say that the present condition is about the same as it was then. There were always parking lots, and whenever the Stadium was used and people came in automobiles, people parked there.

\* \* \* \* \*

Those parking lots are not only used for parking purposes, but are used for soft ball games and general athletics played by the boys and young men, and even girls of the neighborhood. I would say I refereed at the Stadium between sixty and seventy-five football games. That is counting college games and school boy games. The parking lots have never to my knowledge been any different than they are now. They always were part grass, part gravel, part dust. To go back to the operation of the lights, we employ electricians.

\* \* \* \* \*

They are city employees who are skilled in the handling of lights and we employ them as an extra job at night. The lights turned on for the playing of baseball varies with the type of day. The umpire announces when the lights are to go on. He instructs the electricians to turn the lights on.

\* \* \* \* \*

And then they are turned on.

\* \* \* \* \*

That time I would say is about three-quarters of an hour before darkness, and of course that would vary a great deal according to the day.

\* \* \* \* \*

It is, of course, affected by the daylight time.

\* \* \* \* \*

I know the ball game begins in the daylight; but in the latter part of August and September the lights often go on before the ball game starts.

\* \* \* \* \*

The purpose of the lights is to light the playing field. We need the greatest concentration of light on the infield; at the pitcher's box and at home plate.

\* \* \* \* \*

We have a maximum of about 35 foot candle power at the brightest spot and that tapers down to 10 or 12 in the outfield, which obviously is quite dull for baseball purposes.

\* \* \* \* \*

The thing that we concentrated on the most is getting those lights to play down on the field so we could get maximum lighting. Beyond that, we have kept the lights in repair and kept every socket filled with a bulb, and clean the lights.

\* \* \* \* \*

The electricians turn off the lights.

\* \* \* \* \*

I would say they are turned off about fifteen minutes after game time or about the time it would take a person to walk leisurely from a seat out to the outside of the Stadium. They are turned off one after another, immediately one after another. In other words, they are turned off all at once as close as they can. And as soon as spectators have left the stands after the game. And none are kept on beyond that time. I would say it takes the average crowd about fifteen minutes to leave the stands after the game.

\* \* \* \* \*

I took the figures, the closing time of the various games from the Park Board records and found that the game, the average game was played in two hours and nine plus minutes. A little short of two hours and ten minutes. That meant starting at 8:30, the average game was over approximately, that is, twenty minutes of eleven. And the lights would be out approximately fifteen minutes after that. On the average time, starting a game at 8:30 at night, the lights are out five minutes of eleven.

\* \* \* \* \*

One game went beyond eleven o'clock last year. That closed at 11:10. I don't recall the particular game, but apparently it was one of those wild last inning rallies, at which both sides would have been at bat a long while. Because of agreement, we don't begin any inning after quarter of eleven.

\* \* \* \* \*

(Tr. p. 1159):

A public address system used for the playing of baseball is to announce line ups and substitutions, for emergency call purposes, Lucky numbers. From five to ten minutes before the game the announcer begins to announce the line up of each team; then as each batter comes to bat for the first time, he is introduced, by an announcement that so and so, giving the number, is now at bat. That is only, of course, for the first three innings. It may not last three innings. After that, substitutions, if any are made, are announced over the loud speaker.

\* \* \* \* \*

(Tr. pp. 1160-1162):

We used records occasionally in 1944 of a patriotic nature: the Marine Hymn, the Battle Hymn of the Republic, and the service songs and a number of records which we felt appropriate to the particular time. During the war when the game started, it started by the playing of the National Anthem.

\* \* \* \* \*

That was done by all professional ball teams.

\* \* \* \* \*

They did not do it last year because of the fact that I personally felt—

\* \* \* \* \*

It would become too common place, and we stopped it. It is still done in ball parks all over the country.

\* \* \* \* \*

We did start to play records on the public address system about the middle of the 1947 season. Prior to the games and between double headers, as these witnesses have testified to.

\* \* \* \* \*

I personally supervised the selecting of those records: Victor Herbert records, Rudolph Friml, Sidney Romberg, Gershwin, and records from the current shows. Certainly no boogie woogie. I want to bring that out.

very clearly because I don't like boogie woogie any more than the residents of the neighborhood.

\* \* \* \* \*

(Tr. p. 1165):

We did not begin to play music until the last half of the 1947 season. You did ask me if we played any records in 1944. I told you about those patriotic records, but otherwise they were not a regular thing.

\* \* \* \* \*

(Tr. pp. 1167-1169):

We had one or two complaints from persons who resided in the neighborhood about the use of the loud speaker system about half way through the season. Prior to that, I had attended a meeting at which Mr. Charles Evans was present, representing some of these complainants.

\* \* \* \* \*

Something was said about the system, use it as little as possible, cutting down on its loudness. That was one of the things brought up at that meeting. We attempted to limit the use and cut down the loudness after that. Then we had no complaints until about the middle of the 1947 season.

\* \* \* \* \*

When I received the complaints—and incidentally, people who called up did not leave their names at the office—I went up to the 36th Street side from which the complaints came to find out how loud the speakers were and I went up there on three successive nights. I found that the speakers were too loud and could have disturbed the people of the neighborhood to the extent of annoyance, and I cut them down or had them cut down to as great a degree as we could without jeopardizing the reception of the sound inside the Stadium.

\* \* \* \* \*

When I found that the sound coming to the north was still too loud, I called the Henry L. Berman Company, and they sent two men out to correct the situation. They disconnected the speakers altogether that were pointing toward the north, so that the remainder of the baseball season there were no horns pointed in that direction and the system was revised or reduced and adjusted generally. We put a mark on the dial and told the men or the man operating the system not to turn the dial beyond that particular mark, so as to make sure the sound wasn't too loud at anytime. This was done about the middle of June. We received no complaints whatsoever from anyone after that about the loud speaker.

\* \* \* \* \*

(Tr. pp. 1171-1175):

What I have noticed about dust coming from these parking lots is the dust was there when we arrived on the scene and possibly still is there to a reduced amount.

\* \* \* \* \*

Quite a bit of the dust the people of the neighborhood were troubled with, in the early days of our being there, was due to the fact that parking was permitted in the area south of 33rd Street. There is a rather sharp incline to go up to the parking lot. In going up the machines ran in low and second and naturally dug up a lot of dirt and the consequent dust that followed it.

(The Court) At a large football game is it true they don't permit parking now south of 33rd Street?

(The Witness) Your Honor, I am not sure of that. It seems to me that they do permit it for the large games. However, they don't permit it for baseball.

\* \* \* \* \*

It was not permitted in 1947. And it was not permitted in 1946. And there has been no parking for baseball games over there in those two years.

\* \* \* \* \*

As to attempts I have observed to alay dust on the parking lots to the east and west

\* \* \* \* \*

we were able to get a sprinkler from the City Department or State Department and later I think the Park Board itself was able to obtain a sprinkler, which they used daily in attempting to settle the dust. Later on calcium chloride solution was used and I am not sure but what some other solution was also attempted to lay the dust. That was done by the Board of Park Commissioners.

\* \* \* \* \*

It was effective in curtailing the total amount of dust. I don't think it relieved the dust problem completely. The only thing I know to absolutely eliminate the dust would be to pave the parking lots, which was and has been suggested many times.

\* \* \* \* \*

I have seen many baseball parks in many cities, and participated in games in many places.

\* \* \* \* \*

I would say the conduct of people at the Stadium is definitely as orderly, perhaps more orderly, than it is in any other park I have attended. I have had constant occasion to observe that because I am there each time a game is played.

I usually make the rounds of the park at least once during the night. I sit up in the press box for two or three innings; sit out in the stands to see what is going on; and frequently go over on the bleacher side and sit there so I can get a pretty good idea of how things are going. I go outside on the embankment where the gates for ingress and egress are. I watch the ticket takers and people coming and going. So that I have every opportunity to observe their conduct. I have not had difficulty with people who attend the games with respect to their orderliness.

\* \* \* \* \*

(Tr. p. 1179):

By the terms of the contract we have with the City, we are required to clean up the Stadium.

\* \* \* \* \*



(Tr. pp. 1180-1181):

That area is cleaned after each game by a crew of men we employ. They go to work at daylight, right after daylight the morning following the game. They don't go to work after the game is over at eleven o'clock and clean it up then. One reason is that there would be no lights at that time. The lights are out after the ball game. We could not clean it without the lights being on; so we turn out the lights and clean it around daylight in the morning. The squad we employ to do that varies according to the game. I would say the average number would be about twelve. Each one is given a section or two and he cleans that particular section under the supervision of the man who is in charge of that particular work.

\* \* \* \* \*

(Tr. p. 1182):

I am on the field every day and see that the work is done properly.

\* \* \* \* \*

(Tr. pp. 1183-1186):

As to exclusive use of the office on the second floor by our company,

\* \* \* \* \*

As the terms of the contract permit, the United States Naval Academy Athletic Association uses the office when they play games at the Stadium. The Baltimore Colts use the office throughout the football season when they play games there. They have an employee there when they are using it.

\* \* \* \* \*

They came in and out as they saw fit. They had men counting tickets, distributing tickets. They used the office generally for the purpose of what it would be normally used for the day of a game.

\* \* \* \* \*

High school games are played every Friday, Saturday, and sometimes on Sunday when the Colts are not using the Stadium, and at such times the schools have representatives in the office counting tickets, distributing tickets, meeting with men and carrying on, again the usual activities that attend the staging of a game.

\* \* \* \* \*

The office has been used whenever any kind of a game has been played there. The door is unlocked at all times and we have never said no. We have no privilege of granting the use of the office to anybody. That privilege resides with the Park Board.

\* \* \* \* \*

(Tr. pp. 1193-1194):

As to the average persons who attend a baseball game, I can give you approximate figures. In 1946, average attendance was 11,400. That included games which were played during the playoffs, which brought the attendance up somewhat higher than otherwise.

\* \* \* \* \*

In 1947, the average attendance was about 6600. During the season of 1946 the paid attendance was 607,000. The total paid attendance for the season, including a couple of exhibition games, regular season games, and the playoffs, was 722,000. In 1947, the total attendance for the regular season was 358,000.

\* \* \* \* \*

The people who attend our games are, for the most part, citizens of Baltimore.

\* \* \* \* \*

(Tr. p. 1216):

#### CROSS EXAMINATION

By Mr. Biddison:

All the lights were on in the Stadium on March 8th. Both the outside parking lights referred to and those inside.

\* \* \* \* \*

(Tr. pp. 1218-1221):

JAMES CAREY MARTIEN,

a witness produced on behalf of the Baltimore Baseball and Exhibition Company, testified as follows:

#### DIRECT EXAMINATION

By Mr. Kemp Bartlett:

I live in Baltimore, and I am in the real estate business. William Martien and Company, Incorporated, is the name of my firm. It has been a real estate firm in Baltimore more than sixty years. I have been connected with it about fifty years continuously. My entire time has been devoted to the real estate business for the last fifty years. I have engaged in the purchase and sale of real estate and in the appraising of properties, I have had an active and continuous career in it.

\* \* \* \* \*

We have been for more than fifty years, the appraisers for the Eutaw Savings Bank and more than thirty-five years for the Savings Bank of Baltimore, besides insurance companies and financial institutions.

\* \* \* \* \*

I have made a factual study of the sales of properties in the vicinity of the Stadium prior to July, 1944 and subsequent to July, 1944. That study has taken the form of an investigation of the land records of Baltimore City to determine the prices at which property had been sold prior to July, 1944, involving both the properties of the complainants in this case as also properties of similar character on the same streets of the neighborhood, and then extending that study into the prices at which property has been sold in the same areas, as close to 1947 as I can find sales of comparable properties.

\* \* \* \* \*

(Tr. p. 1232):

Q. Mr. Martien, I was asking you about the house of Mr. Frederick Green at 1200 East 33rd Street and I told you that he had purchased that house in August, 1943, for \$13,500. I neglected to say that he testified that he built a wall in front of it in 33rd Street at a cost of \$900. Have you seen that house? A. I have.

Q. And have you an opinion of its present day value?

\* \* \* \* \*

(Tr. pp. 1233-1234):

A. I have an opinion.

Q. In your opinion, has that house increased or decreased in value since July of 1944?

(Question objected to; objection overruled.)

A. It has increased.

\* \* \* \* \*

A. I consider it has increased from 60 to 75%.

(The Court) Don't you want to tell us its value today. Have you an idea of its value today?

(The Witness) It has a 60 to 75% better value than it had in 1944.

(The Court) Why don't you do the figuring instead of making me do it?

(The Witness) It would be about \$22,000.

(The Court) It was \$13,500 plus \$900 for the wall. You say it has increased in value by 60%?

(The Witness) 60 to 75%. I consider that conservative—

(The Court) What is it you want me to take, 60 or 75?

(The Witness) 60% is a conservative increase. It would show the value of the property today to be worth not less than \$22,000.

(The Court) Perhaps I did not figure it right. I figure about \$20,000.

(The Witness) You have, your Honor, \$13,500, \$900 for the wall, \$14,400; 60% would be close to \$23,000.

(The Court) You figure that \$23,000 would be its value today.

(The Witness) I consider that a conservative value.

\* \* \* \* \*

(Tr. p. 1236):

Q. 920 East 36th Street, the home of Mr. Lee Staples, which he said he purchased in fee for \$6675. I ask you if you have an opinion as to the present day value of the house?

(Question objected to.)

(The Court) Didn't he state the cost was \$4600 with a \$120 ground rent?

(Mr. Kemp Bartlett) \$4600 subject to a \$120 ground rent.

(The Court) Let us express it that way. Have you seen the house recently?

(The Witness) I have seen it.

Q. Have you an opinion as to its present day value?  
A. I think its value today is at least \$10,000.

\* \* \* \* \*

(Tr. pp. 1237-1243):

I have also seen the house at 3534 Ellerslie Avenue, of Doctor G. Vance Hooper, who testified he acquired it June 4th, 1938, for \$5250 in fee, and I think its value today is reasonably \$8,500. The house at 1105 E. 36th Street, owned by Mr. William B. Gentry, who told us he acquired it in May, 1929, for \$10,900.

\* \* \* \* \*

In my judgment, has not had as great an increment as other properties in this Stadium area. I would say not over 30%, a conservative figure of \$13,000. I don't think it has had the same increment as others in the Stadium area because the north battery of the Stadium toilets are immediately across the street from the 1100 block east 36th Street, which in my opinion, caused a serious menace to the value of the property. They have been there apparently from the time of the erection of the Stadium. I don't know that from actual observation.

(The Court) 30% on that would put it up to what?

(The Witness) \$13,000.

(The Court) \$14,000 practically because it is \$10,900. You say \$13,000.

(The Witness) I put it conservatively at \$13,000.

\* \* \* \* \*

1207 East 36th Street, owned by Doctor J. Willis Guyton, \$9,800 I think was the price he paid for that property. I think that property today has a value conservatively of \$16,000.

\* \* \* \* \*

The property 1305 Windemere Avenue, Charles H. Whitby, 3rd, who testified he purchased in 1938 for \$6,250, and subject to a \$120 ground rent, which would make it, capitalizing that at 6%, a fee value of \$8,250. I would value that house today at \$14,500 in fee.

Q. Mr. Martien, the house at 3308 Ellerslie Avenue, owned by Miss Jennie S. Hand, she has not testified in this case and gave no purchase price for it. What is your opinion of the value of that house today? A. I don't consider that property is worth over \$12,000.

Q. Take 750 East 36th Street, the property of Mr. Walter K. Harrison. What do you consider its value? A. \$8500.

Q. My brother reminds me that Mr. Harrison testified that he paid \$6,300 in fee for that. Would that change your testimony? A. I think the \$8,500 is a fair value or reasonable value.

\* \* \* \* \*

The house on 726 E. 33rd Street, of Mr. Frederick Thomas I value at \$12,000. Mr. Wright's house on Lakeside, 1318 Lakeside Avenue \$15,000 in fee. And 1204 Lakeside, Mr. Strebs' house, Leo J. Streb, I would also put that at \$15,000. 1319 Windemere Avenue, that of Mr. Henry G. Spates \$15,000. 3621 Kimble Road, Mr. Gosnell's house \$10,000. Those present day values I have given all show an increment over values prior to June or July, 1944.

\* \* \* \* \*

In many cases from 50 to 75%. There are some few I carry at a lower increment. I have had occasion through my knowledge of real estate values and the study I have made in this case, to make a comparison of that increment with other sections of the city. I have studied the area immediately east of the Lakeside and Windemere Avenue properties. That extends from 35th to Chilton Street and from Alameda to Hillen Road.

\* \* \* \* \*

It is comparable to the section immediately east of the Stadium.

\* \* \* \* \*

I have also considered the value of properties in increment in the Loch Raven Boulevard-Hillen Road section south of Cold Spring Lane, that is known as the development of Nacht. That is a half mile to a mile from the Stadium.

\* \* \* \* \*

I found them relatively in accord with what was around the Stadium. In some cases the Stadium values being higher.

\* \* \* \* \*

In some portions of the Stadium area the percentage of increment has been greater than in these other two areas I have referred to.

\* \* \* \* \*

From my observation and a study of the area, I find that properties in the neighborhood of the Stadium are standing up in value as well as those in any other part of the City.

\* \* \* \* \*

(Tr. p. 1256):

JAMES W. H. BEALE,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Robert Bartlett:

\* \* \* \* \*

(Tr. p. 1263):

The lights have no effect whatever on me. I can see the lights very plainly from where I live now and from where I formerly lived. But there is no effect from the light at all.

\* \* \* \* \*

(Tr. pp. 1274-1280):

EARL S. DEWEY,

a witness produced on behalf of the defendants, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 1283):

My family and I definitely don't object to the Orioles playing their games there; in fact, we are glad to have them there because it creates a little activity. We very often have friends who go to the various games and affairs at the Stadium, who drop into the house to visit us and we like that.

Q. You don't find us being there an intolerable nuisance? A. Oh, absolutely not. As I said before, I am glad to have you.

\* \* \* \* \*

(Tr. p. 1290):

WILLIAM O. GRIEVES,

a witness produced on behalf of the Baltimore Baseball and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Robert Bartlett:

\* \* \* \* \*

(Tr. pp. 1292-1293):

There is no dust ever interfered at home and I say that because if there was an extra amount of dust in the summer time, the wife would complain about the extra work she has had to do, which she has never done. I have not noticed it. There is a sun parlor in front of my house. It has seven windows in it which are screened in the summer time, which are mostly open. In the summer time, the sun porch windows are open and the front door open and the screen door locked, for cross ventilation through the house. So that we have seven windows in our sun porch.

\* \* \* \* \*

(Tr. p. 1305):

S. BOYD DOWNEY,

a witness produced on behalf of the Baltimore Baseball and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 1311):

As far as I know, those lights were erected some time ago. Some five years before the Orioles moved out there, and the Stadium was used at night since the lights were put in.

\* \* \* \* \*

(Tr. p. 1314):

The loud speaker isn't objectionable. Of course, we can hear it. We can carry on our normal conversation, in which case you never even hear it. We don't pay any attention to it. Certainly we can have a normal conversation in our living room or on our front porch while the game is going on and the loud speaker is being used. When we are having a conversation, we don't pay any attention to the loud speaker. It is just background, that's all.

\* \* \* \* \*

(Tr. p. 1332):

MRS. CLARA M. SCHWARTZ,

a witness produced on behalf of the Baltimore Baseball and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Robert Bartlett:

\* \* \* \* \*

(Tr. p. 1334):

The Stadium lights do not bother me. I don't go to bed until after the games are over. There is noise, naturally, there are so many people there and would make more noise than few. But it does not bother me. I expected it when I moved there. I certainly knew it was a Stadium for public use and I knew there would be crowds there and make more noise than if there wasn't a Stadium.

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ium there. About the crowds of people walking on the  
sidewalk past our house and littering up the premises,  
after the first season, I can't say I have any objection at  
all. The crowd has been very quiet and passed my house  
in an orderly manner. I can say that very truthfully.  
The first season they were a little careless. That was in  
1944.

\* \* \* \* \*

The last season I have no objection whatever. I can  
find no fault with their behavior.

\* \* \* \* \*

(Tr. p. 1349):

WILLIAM G. STOCKHAUSEN,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 1350):

In July, 1944, I moved two poles with the lights on  
them from Oriole Park out to the Stadium. They are  
the two poles that are erected on the playing field at the  
north end, thirty feet beyond the first base line. The six  
poles on the parapet of the Stadium are maintained by  
the Park Board of the City of Baltimore. They were  
erected in 1939. And they were there when I was em-  
ployed by the Orioles to erect these other two light poles  
in 1944. Each spring we focus the lights, the two poles  
which are the property of the Orioles, as well as the six  
towers which are the property of the City.

\* \* \* \* \*

(Tr. p. 1380):

HARRY L. THOMPSON,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 1386):

I am just directly across the street from the Stadium,  
and I don't find the noise, dust, or the lights objec-  
tionable.

\* \* \* \* \*

(Tr. p. 1393):

FRED W. BECKMAN,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 1395):

The lights don't bother us at all. The only time you  
can see them is when you go to the window and look out.  
They don't shine in our rooms so that you cannot sleep  
at night; and they don't bother me at all.

\* \* \* \* \*

(Tr. pp. 1397-8):

In about ten minutes that crowd is cleaned right out  
because the buses are waiting there to take them as soon  
as the game is over. I am directly across the street from  
gate No. 9; the nearest point to the Stadium. There is a  
ticket window there and a gate for ingress and egress.  
People wait there for the buses right across the street.  
I don't find that noisy or objectionable.

\* \* \* \* \*

(Tr. p. 1403):

ALEX J. BRADLEY,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Robert Bartlett:

\* \* \* \* \*

(Tr. p. 1404):

I lived at 728 East 35th Street when the present site  
of the Stadium was an old abandoned brick yard. Prior  
to the building of the Stadium there no streets whatever  
were laid out. It was a clear field. Nothing there at all.  
There was only one house standing there, the north end  
of the Stadium. A family by the name of Franklin lived  
there and when they started to build the Stadium, they  
tore the house down. That was an old farm house.

\* \* \* \* \*

(Tr. p. 1411):

MRS. ANNIE E. KLUTER,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

\* \* \* \* \*

(Tr. p. 1418):

CROSS EXAMINATION

By Mr. Biddison:

I have not noticed any element being drawn in to my  
community that have a complete disregard for my prop-  
erty and my privacy rights. I have not noticed any de-  
struction of property and shrubbery and littering of the  
property with empty liquor bottles and beer bottles.

\* \* \* \* \*

(Tr. p. 1437):

MRS. CHARLOTTE DRENNAN,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Robert Bartlett:

\* \* \* \* \*

(Tr. p. 1438):

The use of those flood lights does not interfere with  
my enjoyment of our home. We are on the east side.  
We have a tree in front of the house. There is a reflec-  
tion across the street but my tree takes care of that.  
There is nothing about them that annoys me or mem-  
bers of my household.

\* \* \* \* \*



WILLIAM H. CALLAHAN,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. p. 1443):

3601 Kimble Road is about 275 feet from the Stadium property; north of the Stadium on Kimble Road. I am quite close to the Stadium. I own other properties in that vicinity. I own the house at 831 East 34th Street and one at 3800 Kimble Road, two on Ednor Road. 3901 and 3903 Ednor Road. Then some various ground rents in Ednor Gardens. I have lived in the vicinity of the Stadium twenty-five years, ever since it was built. I first lived at 801 East 34th Street.

\* \* \* \* \*

It was a very nice neighborhood and still is. Of course, the Stadium had just been finished. At that time there were no houses in Ednor Gardens; which is north of the Stadium between Ednor and Ellerslie, and north of 33rd Street.

\* \* \* \* \*

I did most of the grading and excavating work there.

\* \* \* \* \*

I moved to 3601 Kimble Road about twelve years ago. I was there before the Orioles played at the Stadium and have lived there ever since.

\* \* \* \* \*

(Tr. p. 1495):

GEORGE W. REED,

a witness produced on behalf of the Baltimore Baseball  
and Exhibition Company, testified as follows:

DIRECT EXAMINATION

By Mr. Kemp Bartlett:

\* \* \* \* \*

(Tr. pp. 1496-1498):

I am president of the Baltimore Baseball and Exhibition Company. I was the accountant for the old Oriole Baseball Club since about 1919. That was in Jack Dunn's lifetime. I became officially connected with the Orioles as an officer after Mrs. Dunn's death, but before that time I was connected with the club in an advisory capacity; but as an officer after Mrs. Dunn's death. I have been president of it ever since Mrs. Dunn's death. I hold stock as trustee for Mrs. Dunn under her will: 1051 shares as trustee of the Dunn Estate. There are 1250 shares issued and outstanding; about 200 shares in addition to what the trustee holds, the trustee's percentage being about 84%. I administer that number as trustee. The Baltimore Baseball and Exhibition Company is a Maryland Corporation. And it is governed by a Board of Directors and its officers. The directors of the Company are Fritz Maisel, Jack Dunn, 3rd., Charles H. Knapp, Jr., Alphonse Thomas, Herbert E. Armstrong, Mr. J. Kemp Bartlett, Jr., and myself. Alphonse Thomas and Jack Dunn, 3rd are both vice-presidents, and Mrs. D. K. Berman is the treasurer, and Mr. J. Kemp Bartlett, Jr., secretary. Mr. Armstrong is business manager. When Oriole Park burned down on July 4th, 1944, arrangements were made with the Park Board for the use of the Stadium.

\* \* \* \* \*

(Tr. pp. 1499-1500):

In each successive year the license or permission to use the Stadium has been made upon an annual basis. Each year on an annual basis covering the current season. As yet no contract or license or right has been granted for the use of the Stadium for the 1948 season. The Baltimore Baseball and Exhibition Company is anxious to make such an agreement for the 1948 season. And negotiations were entered into with the Department of Parks and Recreation prior to the institution of this suit. Nothing whatever has been done since the institution of this suit, unless the general talking of terms was gone into. I think that was before the suit, however. Nothing definite since.

\* \* \* \* \*

(Tr. p. 1502):

I met with a neighborhood protest committee three or four times perhaps. They were represented by counsel. Mr. Evans was that counsel. I met with them on several occasions. At one time I stated to the neighborhood protestants that my desire to use the Stadium was temporary. When we first went into the Stadium we had no idea whatever of using it permanently. I made a great deal of effort to locate other places where the games could be held. I was unsuccessful in locating a suitable place. I was rather handicapped in all instances because whenever something seemed it might be suitable was to be investigated I had first to contact other financial interests because the Baltimore Club was not able to build a stadium that would be decent for a city like Baltimore, and on one occasion had a site that I felt might be suitable and got the other parties actually to go along with me, when I found that just adjoining the property a Catholic Church and school were to be built and we would not be able to use the property. But I made a great deal of effort to get other properties where the Club could play in its own home. That property was just south of the Northern Parkway and just north of Belvedere, east of the York Road.

\* \* \* \* \*

(Tr. p. 1503):

I was called on the telephone in Florida by the Baltimore office of the Baseball Club and was told that the City had asked the office whether we would make a long term contract with them if they built a new park. This was after the Legislature had authorized the loan but before the voters had voted for it, and my answer to that was they could tell the City if the voters approved the loan, we would enter into a long term contract. The idea of changing our mind was if the rest of the City, the majority of the City wanted the park at 33rd Street, or wherever they wanted it, that we would not be a party.

to holding that improvement up. The City intimated that they would want us there on a long term contract if they built the new park. That was about in February of 1947, I think.

\* \* \* \* \*

(Tr. p. 1504):

The baseball club is a member of the International League. That is Triple-A classification. That is the next grade down from the major league. It is very close. As a matter of fact, the upper bracket of the International League would be pretty nearly as good as the lower bracket of the Majors in most cases.

\* \* \* \* \*

(Tr. p. 1505):

We play a ball game that is regulated entirely by rules that are promulgated by what they call a major-minor agreement, which sets up entirely the general rules of playing that we must live up to. It is the same game, of course, that is played in every other city of the United States. It is under the same agreement that all minor league clubs operate, a little different agreement from that which the major leagues operate. As far as the Baltimore Club itself is concerned, we have on very, very many occasions when we needed a player very badly, refused to take that player because his morals were not what we thought they should be. We have done that many a time when we needed a player badly. To go a little further, when I interviewed the people at Hollywood, Florida, where players were stationed, they had driven a ball club out of the Stadium in Hollywood because of the behavior of the players. When I talked to them some four or five years ago they were most anxious to have us back. That is a very important part of our management program; so far as the ball players themselves are concerned. I am not testifying about attendants. We cannot control that. We invite the public to attend the game, of course. We sell them tickets to come in. I have seen the baseball fans of Baltimore who attend the games on very many occasions. They are quite orderly. I think they are quite orderly for baseball fans, and much more so than in other cities where they attend games. They take a keen interest in the game as to whether it is lost or won, and display their enthusiasm at times. The playing of the game itself is under the control of the umpire, and they are employed by the League and not by the team.

\* \* \* \* \*

(Tr. p. 1508):

I have attempted ever since I have been head to get the very highest calibre help and management with respect to the ball club. We hold meetings occasionally and discuss the various things that come up before the club and the complaints of the club and so forth, and try to provide means by which to get these things toed up. We certainly do employ people that we have confidence in. That applies to guards and ticket takers and ground keepers. My instructions to Mr. Armstrong are to use the greatest of care in selecting such help. Mr. Armstrong selects that help. I do not. We certainly do do all we think is possible to put on a high class exhibition of baseball in Baltimore.

\* \* \* \* \*

(Tr. p. 1514):

#### REDIRECT EXAMINATION

By Mr. Kemp Bartlett:

The trust under Mrs. Dunn's will terminates at least four or five years from now, it has four or five years to run. I think when Jack Dunn is 30. He is 25 or 26 now. It terminates when he is 30; at which time he owns the stock and it is all turned over to him.

\* \* \* \* \*

(Tr. p. 1514):

(The Court) Mr. Reed, I want to ask you a few questions. I understood you to say up until February, 1947, you hadn't any idea of staying permanently in the Stadium.

(The Witness) That is right.

(The Court) Then you changed your mind when someone connected with the City called you up and suggested you might get it for a longer term, is that right?

(The Witness) Yes.

(The Court) Is that the only thing that made you change your mind?

(The Witness) The consideration was, your Honor, that the City intimated that in order—that they would need the income from the Baltimore Club if they built the new Stadium, and what we had in mind was a long term lease. I told them we would if the voters approved the loan; otherwise, we would not.

(The Court) Of course, this present lease that is covered in this bill of complaint hasn't anything to do with any lease for a longer period than 1948.

(The Witness) The lease we will make now will probably be for 1948 only.

(The Court) And of course, it did contemplate 1947, but that time is past and was past when the bill was filed, it contemplated 1947 and 1948?

(The Witness) Yes.

(The Court) And no longer.

(The Witness) That is right.

\* \* \* \* \*

(Tr. p. 1530):

NAT MOTTA,

a witness produced on behalf of the Baltimore Baseball and Exhibition Company, testified as follows:

#### DIRECT EXAMINATION

By Mr. Kemp Bartlett:

(Tr. p. 1531):

I am employed by the Henry O. Berman Company.

\* \* \* \* \*

Their business is wholesale radio parts and sound equipment. I am manager of the Sound Division. We maintained the public address system at the Baltimore Municipal Stadium during both baseball and football games last year. It belongs to the City.

\* \* \* \* \*

News 3/9/47

# LEONARD T

## RODGER H. PIPPEN

### SPORTS EDITOR, SAYS:

If I were sure that Harry Y. Wright, chairman of the Stadium Protest Committee, would be on the stand every day in court, I would give up work and comics and golf and become a daily visitor at the Courthouse.

I have heard Harry twice as a witness and he furnished me with more laughs that I get on the golf links or at a burlesque show, or anywhere for that matter.

Harry had me in stitches yesterday when he painted to the court contrasting pictures of the Stadium surroundings before and after the Orioles moved in.

Not that Wright called it exactly 'nat, but Baltimore had a Garden of Eden out on Third-third street before that dreadful day when the baseball lovers of this city and nearby territory began patronizing the ball games in the bowl.

It was touchingly beautiful out Stadium way, with lovely green grass, blossoms, shrubbery and other things delightful to the eye. All was flowers and sunshine. No clouds—sweetness and light.

The Orioles, through their patrons, were charged by dear Harry as having ruined the scenery, the plants and the grass until it became a desert waste, unfit for man or beast.

He would have the court believe that the Oriole patrons alone were totally responsible for the woeful desecration of his Garden of Eden. Not even mentioned by Harry as contributing factors were the Navy, with crowds of 30,000 or more; the Colts, with 50,000 at one game, and the schoolboys, with ten or more thousand at some of their twenty night games each fall. He showed no inclination to discuss the Colts, the Navy and the schoolboys. And you can't blame him for that.

#### Moved In After Lights Were Installed

And please don't forget that Harry admitted on the stand that the lights had been installed in the Stadium for some years when he moved into his present home.

He tried his very best to make Judge E. Paul Mason

#### BEFORE THE ORIOLES MOVED IN...



believe that the Orioles were the only contributors to the nuisance about which he is yelping.

He might also explain why the Orioles, who averaged less than seven thousand a game last year, are more of a parking nuisance than the Colts, who average about 29,000 a game.

#### Only 42 Night Ball Games In 365 Days

Tom N. Biddison, City Solicitor, pointed out that the Orioles played only 41 or 42 night games a year, divided last summer through the months as follows:

- 7 nights in April.
- 4 nights in May.
- 7 nights in June.
- 15 nights in July.
- 8 nights in August.

That meant that the 27 protesting neighbors do not see the baseball customers in January, February, March, April, October, November and December. When the Orioles

#### AFTER THE ORIOLES MOVED IN...



get into the play-offs, some few night games are staged in September.

Could that, by any stretch of the imagination, be called a tiresome, continued nuisance. In contrast, moving picture houses have parking patrons practically every day in every week.

#### Schoolboys Play 20 Games At Night

The schoolboys play twenty games under the lights each fall and have been playing under the lights for ten years.

When these schoolboy games are played, the protesting neighbors would have you believe that the customers do not park in the same places as the Oriole fans, do not trample down the grass, do not stir up dust, never speak above a whisper, never go singing down the streets, never yell hurra for Poly or City, never blurt out the score if questioned. No, only deaf and dumb patrons attend the schoolboy contests.

Indeed, Mr. Wright stressed the fact that baseball fans driving away from the bowl actually yell out the final score when questioned by pedestrians. That should be a jail offense.

#### Not A Single Arrest

And as to the claim that the Oriole fans are rough and tough and noisy, Tom Biddison made the astonishing statement that not a single arrest had been made by the police in 1947 outside the bowl after Oriole games.

I tell you, this Chairman Wright tickles me. And, according to another local paper, he won a season pass at Oriole Park several years ago and retained it. By his presence was he contributing to his alleged nuisance? I'm just asking.

And please don't forget that dear Mr. Wright moved into his present home about five years after the lights had been installed.

#### Boogie-Woogie And Cowbells For The Common People

Striking a William Jennings Bryan pose, with arms outstretched, Mr. Wright explained to the court that persons in his position in life didn't like boogie-woogie music which is dished out at the Oriole games. He declared that no one with real intelligence could enjoy that kind of music.

And he likewise spoke of hearing "obnoxious" dialogue

Continued on Page 24, Column 5.

# RODGER H. PIPPEN

Continued from Page 21

between radio comedians over the loud-speaking system. It so happens that Abbott and Costello, on that particular occasion, contributed their services to a special ceremony honoring Sgt. Paul Wiedorfer, Maryland Congressional Medal of Honor hero. Exactly 25,012 fans turned out to pay tribute to this great American. But the noise they made and the funny sayings of the two nationally known comedians made Mr. Wright close his windows and go into solitude.

Incidentally, these two comedians have given of their time and their fortune to help in curbing youth delinquency. Have Mr. Wright and his protesting neighbors ever done as much for the less fortunate?

Being one of the common people, I like boogie-woogie and cowbells and happy rooters yelling out the score when the home team wins and cursing when the home team is beaten badly. And I don't mind fans who come to the games in their undershirts on hot Sunday afternoons. What are they supposed to do? Wear a fur coat under that blistering sun with no roof overhead?

Dear Harry said he had seen persons carrying ten-gallon garbage cans filled with beer. How did he know there was beer inside? Did he rush over and peep in? Did he ask for a sip? Or was he just using his very vivid imagination?

\* \* \*

## Must Have Better Ears Than My Rabbit, Pete

Wright also testified to this:

At times the dust caused by automobiles is so thick around the bowl that a person half a block away cannot see the Stadium.

The city should be required to maintain a college atmosphere at the Stadium. (Comment—In other words, keep the common people and the lovers of boogie-woogie away.)

He said that the loudspeaker system could be heard as far away as Twenty-second street. If that be true, then Mr. Wright must have better ears than my rabbit, Pete.

This is what I have to say on this subject:

To test the noise, I walked all around the Stadium last year while the Orioles were staging a rally. I couldn't hear a sound more than a block away. I suppose my rabbit, Pete, has better ears than mine.

\* \* \*

## Same Lights Not Objectionable On Football Nights

Harry also testified that when he drives along Lakeside avenue, the lights are so bright from the Stadium that he is always fearful of hitting some pedestrian.

Of course, he was referring to the baseball lights. The same lights, used for football, do not worry the protesting neighbors. Isn't that silly?



THIRD  
OR  
FOURTH  
CLASS  
POSTAGE  
HERE

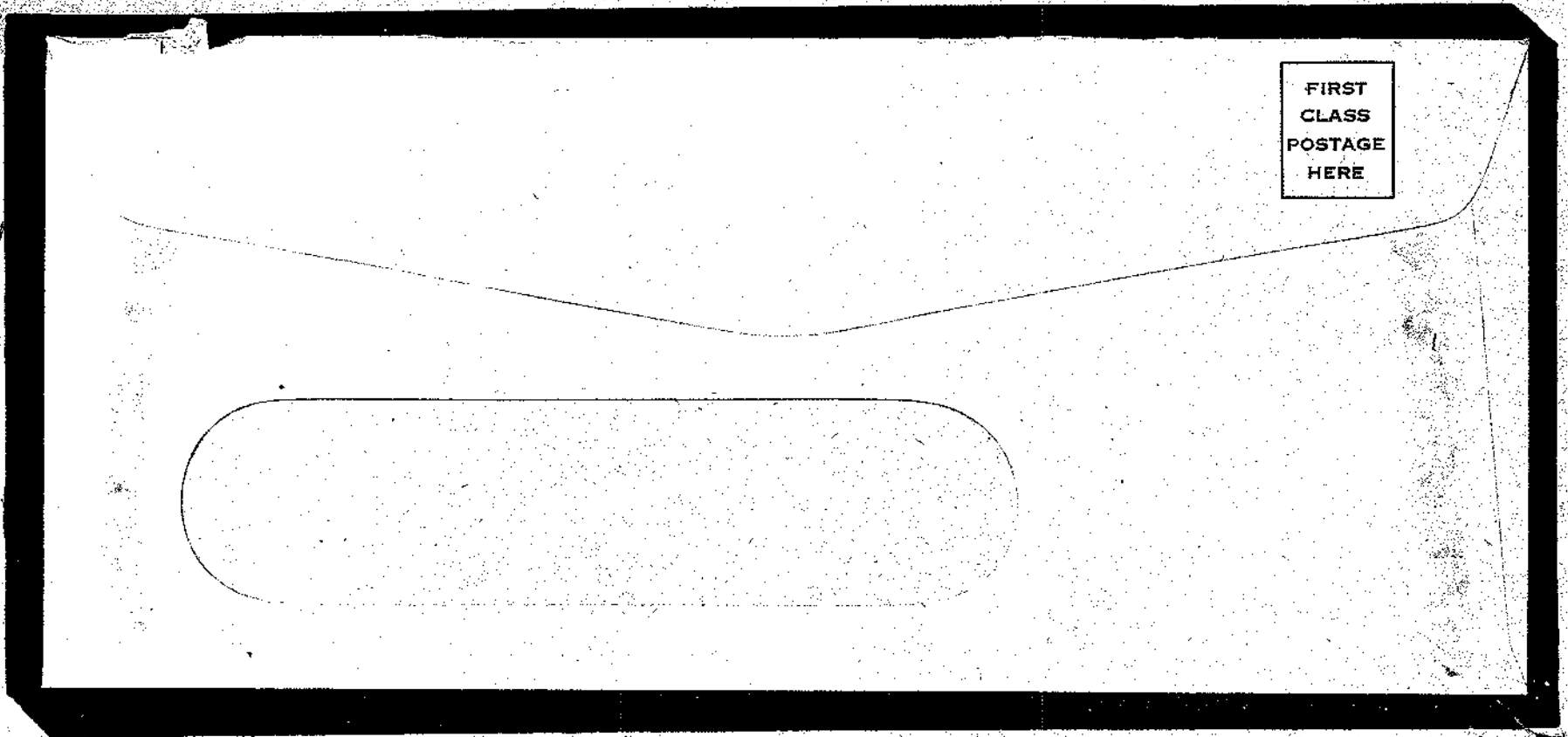
Mr. Allister  
Shugler

Mr. Thomas H. Bidder  
City Solicitor

**FIRST CLASS  
LETTER HERE**

FIRST  
CLASS  
POSTAGE  
HERE

New Orleans  
Louisiana

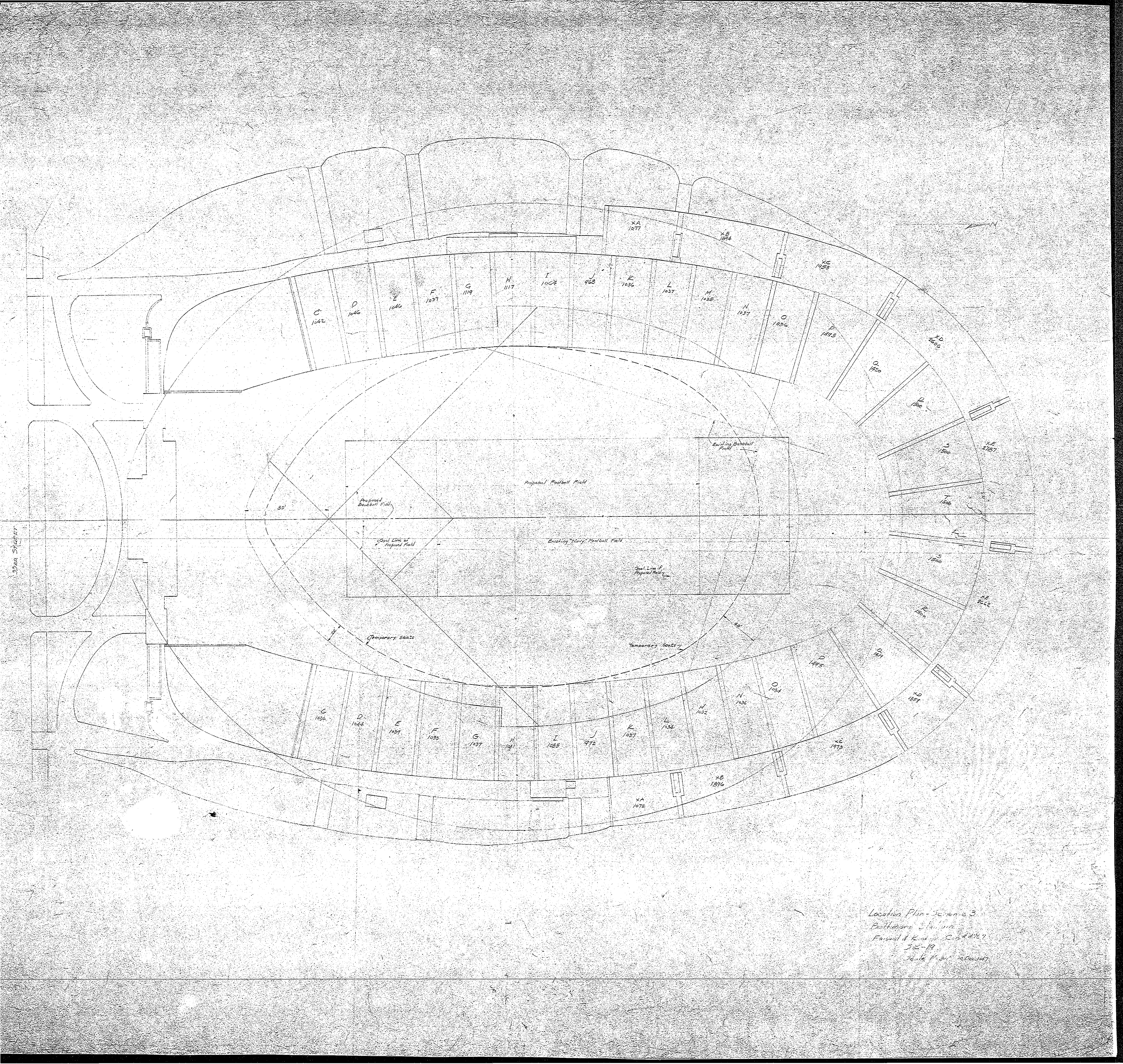


SEE FIRST CLASS LETTER  
ON OTHER SIDE

*new stadium plans*

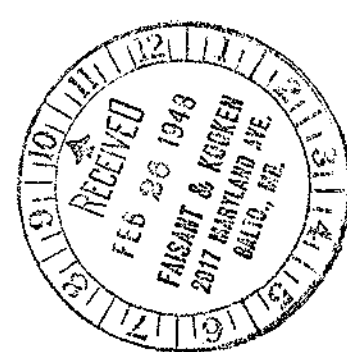
KAROLTON UNI-MAILER-9 1/2 x 12 1/2  
"MADE IN U.S.A."  
THE AMERICAN ENVELOPE CO.  
WEST CARROLLTON, OHIO



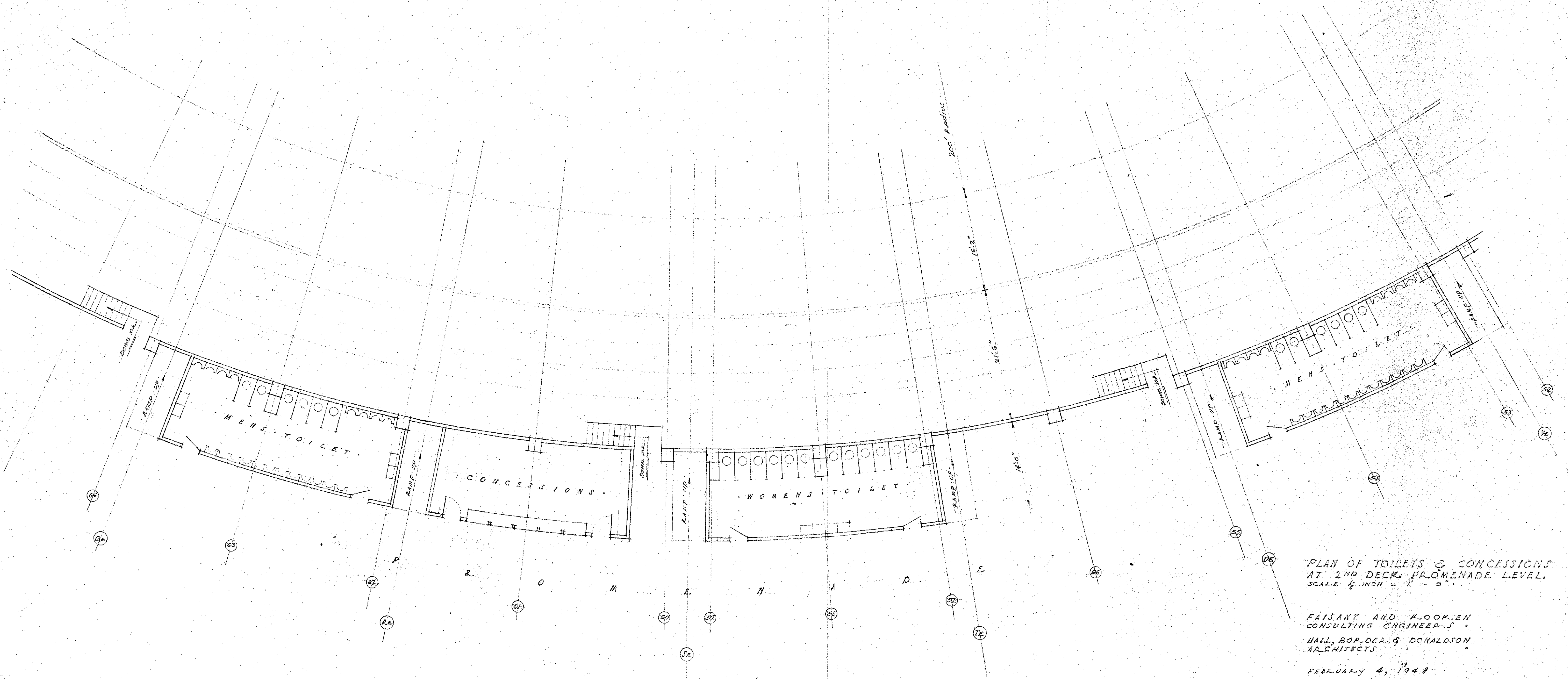


Location Plan - Series 3  
Baltimore Stadium  
Farrar & Kohn, Architects  
3-2-19  
Scale 1/8" = 1'-0"



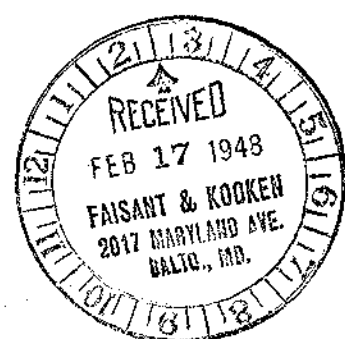




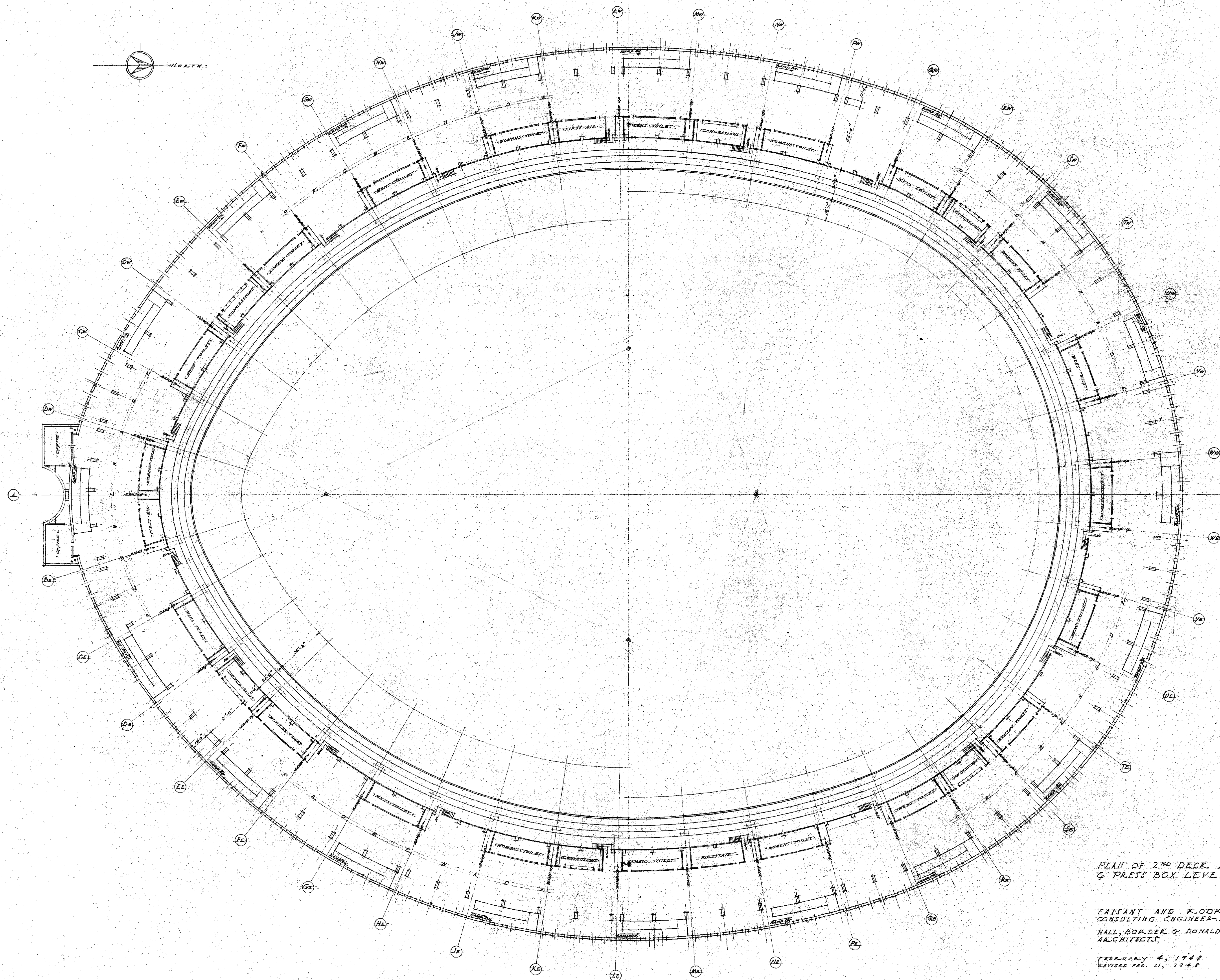


PRELIMINARY STUDY OF THE BALTIMORE STADIUM  
 FOR THE MAYOR AND CITY COUNCIL OF BALTIMORE

PLAN OF TOILETS & CONCESSIONS  
 AT 2ND DECK PROMENADE LEVEL.  
 SCALE 1/8" INCH = 1' - 0"  
 FAISANT AND KOOK-EN  
 CONSULTING ENGINEERS  
 HALL, BORDEAUX & DONALDSON  
 ARCHITECTS  
 FEBRUARY 4, 1948







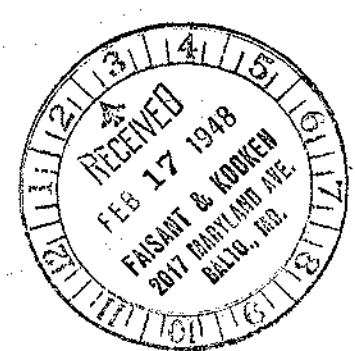
PLAN OF 2ND DECK, PROMENADE LEVEL & PRESS BOX LEVEL. SCALE 1"=30'-0".

FAISANT AND KOOKEN  
CONSULTING ENGINEERS  
HALL, BORDER & DONALDSON  
ARCHITECTS

FEBRUARY 4, 1948  
REVISED FEB. 11, 1948

PRELIMINARY STUDY OF THE BALTIMORE STADIUM  
FOR THE MAYOR AND CITY COUNCIL OF BALTIMORE

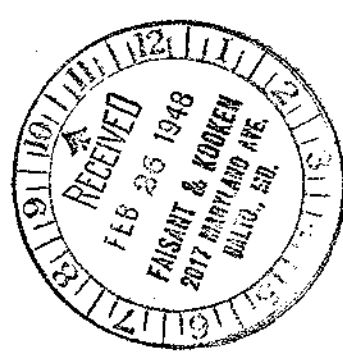


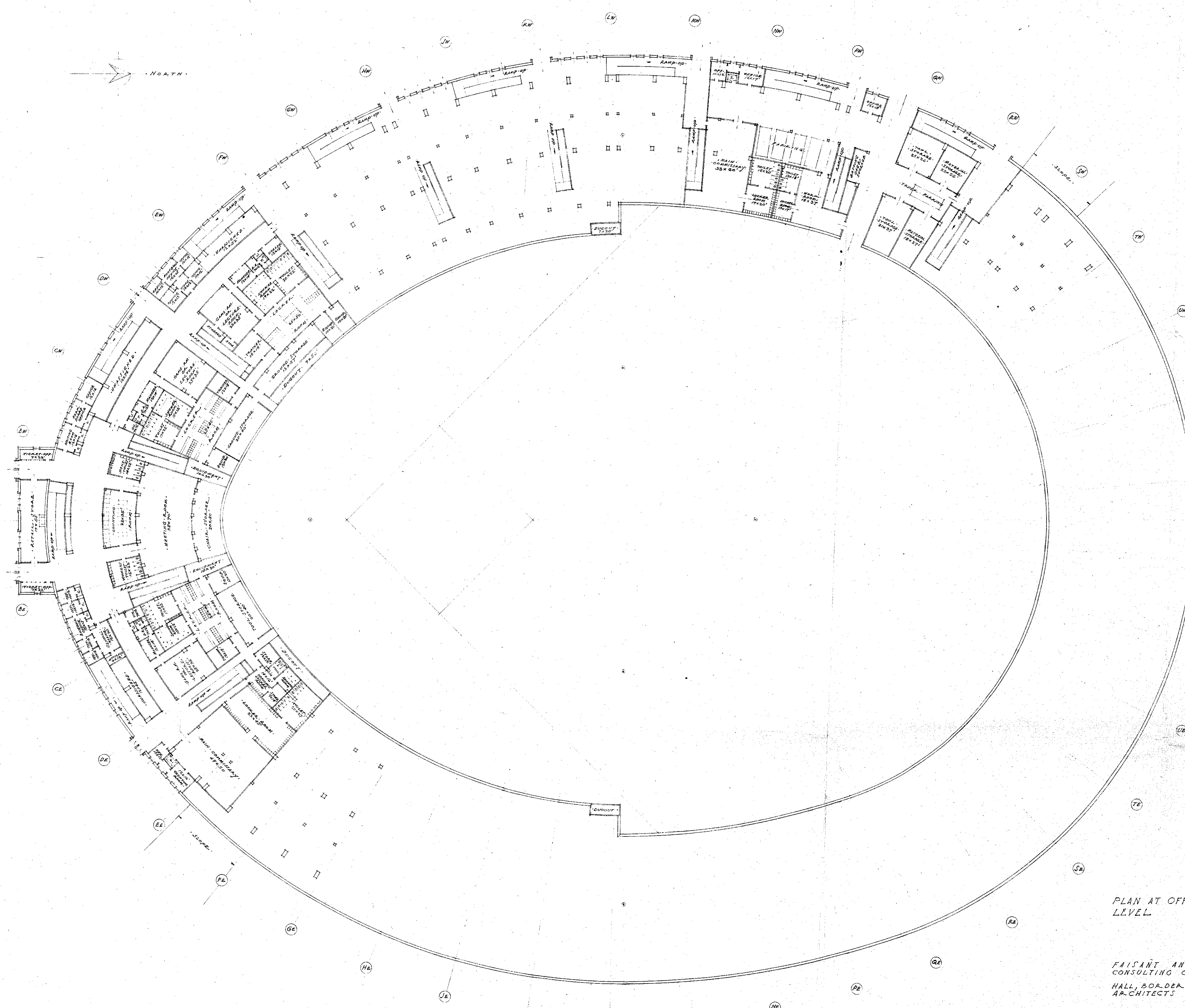












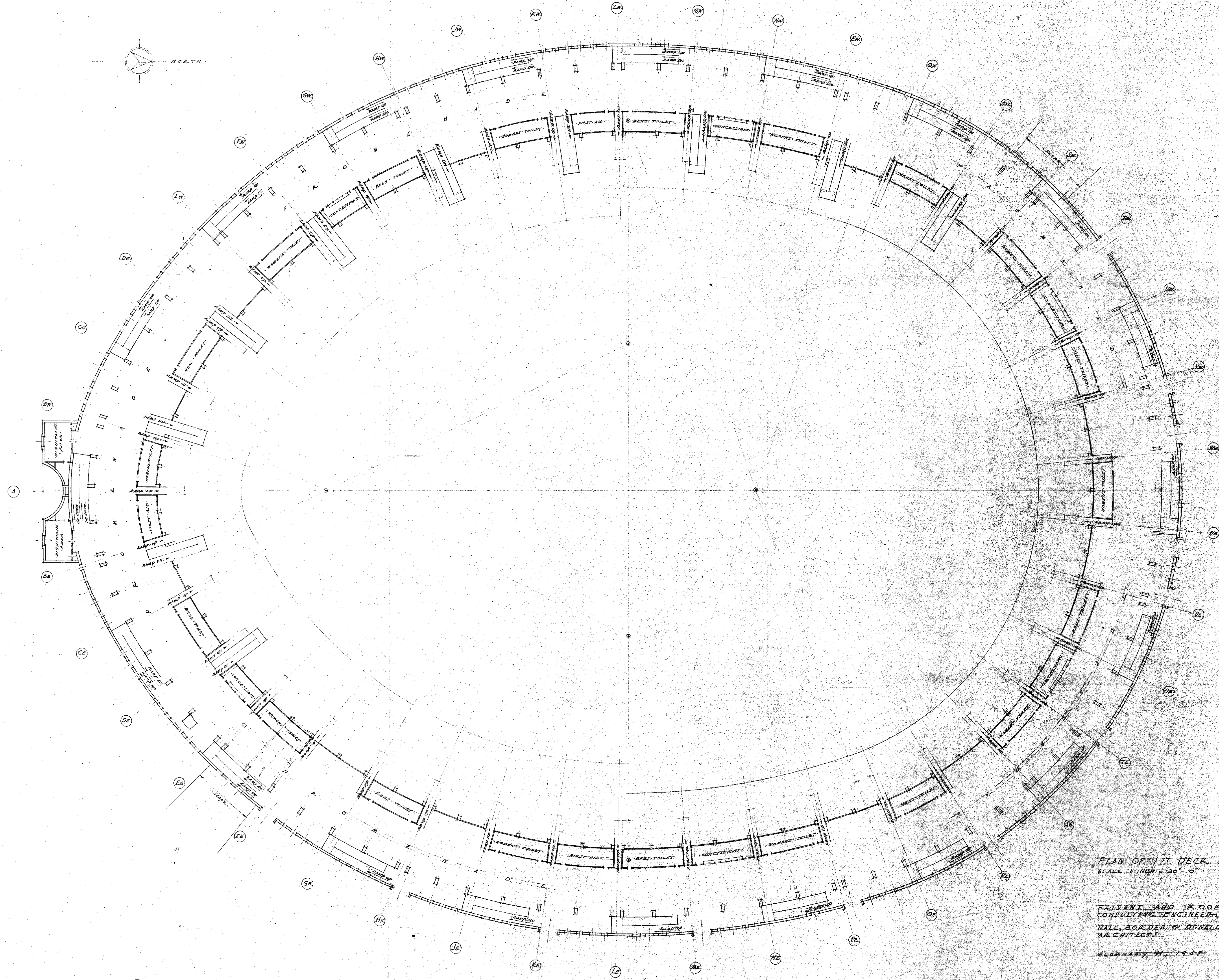
PRELIMINARY STUDY OF THE BALTIMORE STADIUM  
FOR THE MAYOR AND CITY COUNCIL OF BALTIMORE

PLAN AT OFFICE & DRESSING ROOM  
LEVEL SCALE 1 INCH = 30' - 0"

FAISANT AND KOOKEN  
CONSULTING ENGINEERS  
HALL, BORDER & DONALDSON  
ARCHITECTS

FEBRUARY 4, 1948



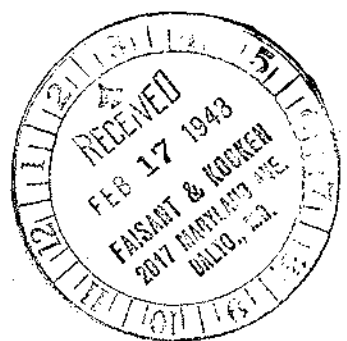


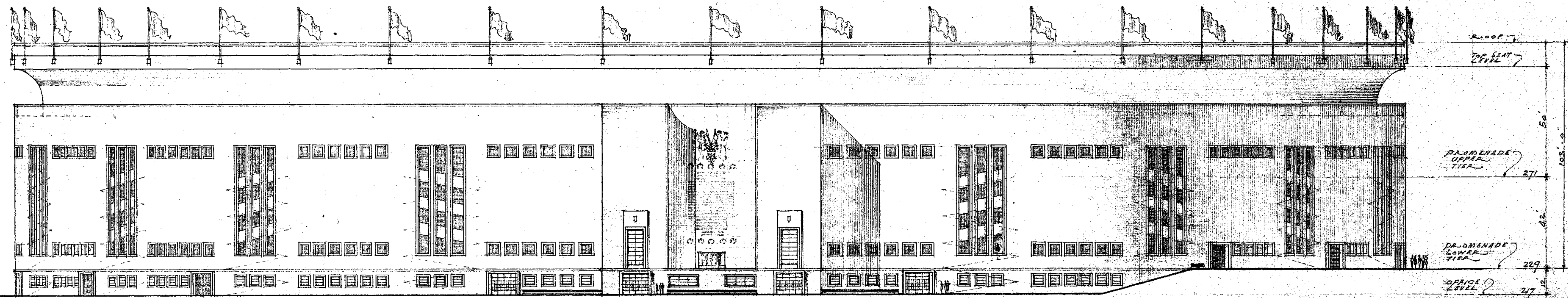
PLAN OF 1ST DECK PROMENADE LEVEL  
SCALE 1 INCH = 30' - 0"

FALSBY AND KOOKEN  
CONSULTING ENGINEERS  
HALL, BORDER & DONALDSON  
ARCHITECTS  
FEBRUARY 11, 1942

PRELIMINARY STUDY OF THE BALTIMORE STADIUM  
FOR THE MAYOR AND CITY COUNCIL OF BALTIMORE

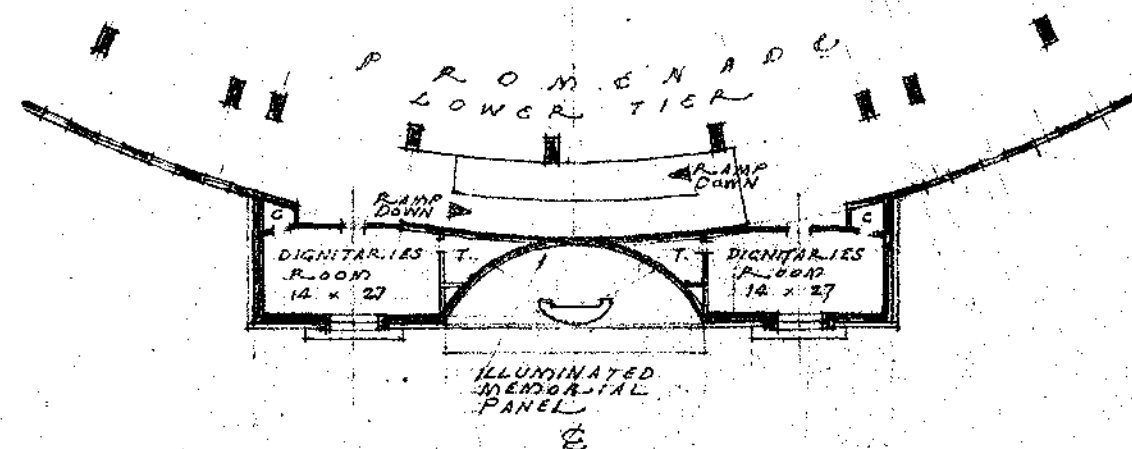




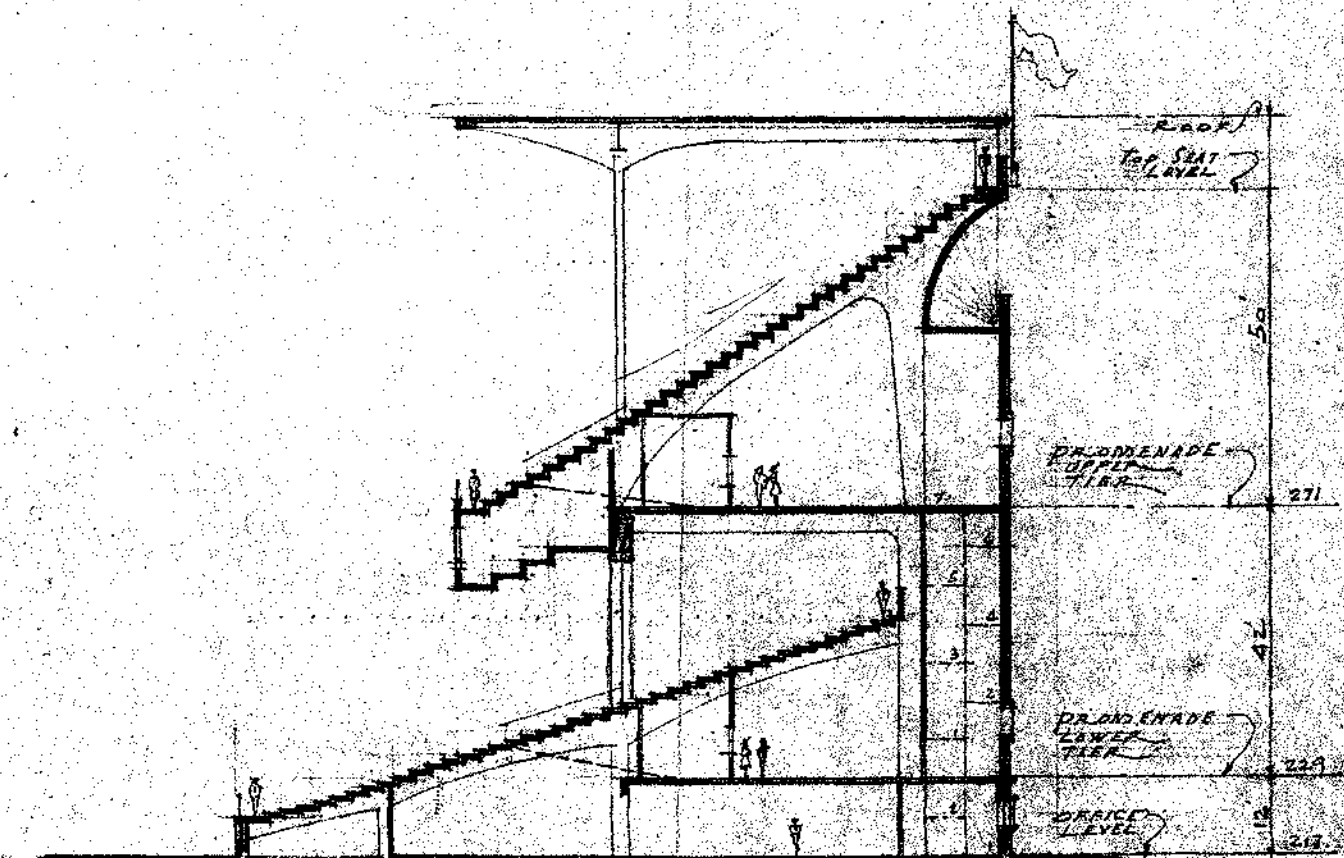


33RD STREET ELEVATION  
SCALE - 1 INCH = 30' - 0"

FAISANT AND KOOKEN  
CONSULTING ENGINEERS  
HALL, BORDER & DONALDSON  
ARCHITECTS



PLAN OF  
MEMORIAL PANEL  
AT 33RD STREET  
SCALE - 1" = 30' - 0"



TYPICAL SECTION  
SCALE - 1" = 30' - 0"

JANUARY 22, 1948

PRELIMINARY STUDY OF THE BALTIMORE STADIUM  
FOR THE MAYOR AND CITY COUNCIL OF BALTIMORE

